



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 6 अप्रैल, 2009/16 चैत्र, 1931

हिमाचल प्रदेश सरकार

आबकारी एवं कराधान विभाग

अधिसूचना

शिमला-171009, 31 मार्च, 2009

संख्या 7-155/2008-ई.एक्स.एन.-9076-95.—प्रथम नवम्बर, 1966 से ठीक पूर्व हिमाचल प्रदेश में समाविष्ट क्षेत्रों तथा पंजाब पुनर्गठन अधिनियम, 1966 (1966 का 31) की धारा 5 के अधीन हिमाचल प्रदेश में जोड़े गये क्षेत्रों में यथा प्रवृत्त पंजाब एक्साईज ऐक्ट, 1914 (1914 का 1) की धारा 59 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये तथा उक्त अधिनियम की धारा 9 के अधीन और इसके साथ पठित हिमाचल प्रदेश (एक्साईज पावर एण्ड अपील) आर्डर, 1965 द्वारा मुझ में निहित वित्तायुक्त (आबकारी) की शक्तियों का प्रयोग करते हुये मैं, आर० डी० धीमान, आबकारी एवं कराधान आयुक्त, हिमाचल प्रदेश, एतद्वारा हिमाचल प्रदेश लिकर लाईसेंस रूलज, 1986 (जिन्हें यहां उसके पश्चात् "उक्त रूलज" कहा गया है) में 1-4-2009 से और संशोधन करता हूं :—

संशोधन

In the said rules.—

1. The entries 'L.1AA', 'L.10' and 'L.13A' wherever occur, shall be deleted.
2. In rule 1 in column 2 of the table —

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- (i) against entry “L.1A” in column 1, the words ‘and retail’ shall be deleted.
 - (ii) against entries “L.3A”, and “L.5A” in column 1, after the word “beer” the words “cider and wine” shall be inserted.
 - (iii) against entry “L.9” in column 1, after the words “on club lines”, the sign and words, “Sashatra Sena Bal (SSB)” shall be inserted.
3. In rule 1, in column 3 of the table—
 - (i) against entry “L.9”, in column 1, the existing entry “assessed fee” shall be substituted by the entry “fixed fee and assessed fee”.
 - (ii) against entry “L.9A”, in column 1, the existing entry “assessed fee” shall be substituted by the entry “fixed fee”.
 - (iii) against entry “L.12C” in column 1, the existing entry “assessed fee” shall be substituted by the entry “fixed fee and assessed fee”.
 4. In rule 1, against entry “L.14C (Ahata)” in column 1, the entry “Collector” appearing in column 5, shall be substituted by the entry “Not renewable”.
 5. In rule 12 sub-rule (1), in the certificate below the first proviso—
 - (i) after the words, signs and figure ‘Himachal Pradesh General Sales Tax Act, 1968/’ the words, signs and figure ‘Himachal Pradesh Value Added Tax Act, 2005/’ shall be inserted.
 - (ii) the figures and sign ‘31.12.19..’ shall be substituted by the figure and sign ‘31-12-20...’
 - (iii) the words ‘no Sales Tax dues’ shall be substituted by the words ‘no Sales Tax or VAT dues’.
 6. In rule 15—
 - (1) In the table—
 - (i) Against first and second entries of column 1 relating to L.1 etc. and L.1A etc. respectively, the words “for the wholesale or retail vend of Country Spirit & Beer” appearing in column 2, shall be deleted.
 - (ii) Against fourth entry relating to L.3, L.3A etc. in column 1, the words “or a license in form [xxxx] attached with Country Liquor vend” shall be deleted.
 - (iii) In the fifth entry relating to L.9 in column 1, after the words and sign “on club lines,” the words “Sashatra Sena Bal (SSB)” shall be inserted.
 - (2) The existing proviso after the table shall be deleted.
 7. The existing rule 16 shall be substituted by the following, namely—
 “16.(1) No person holding a license for a distillery, bonded warehouse or brewery shall hold any license under these rules except—

- (a) licenses in form L.1-C, L.1-A and L.11 for the wholesale vend of foreign liquor to the trade only, storage of foreign liquor in bond combined with wholesale vend of foreign liquor to the trade only and bottling of foreign liquor respectively.
- (b) licenses in form L.13, L.15 and L.16 for the wholesale vend of country spirit bottling of country spirit and reduction of country spirit respectively.
- (c) a license in form L.17 for the wholesale vend of denatured spirit.
- (d) a license in form L.19 for the wholesale vend of rectified spirit.”

(2) No person holding a license for a winery shall hold any license except a license in form S.1A and S.1AA granted under the Himachal Pradesh Sweet (Manufacture) rules, 1988.”

8. In rule 17—

- (1) In column 2 in the table, in the fourth and fifth entries the existing words “A person holding license in form L.14 for the retail vend of country liquor” shall be deleted.
- (2) Against entry L.11 in column 1, the existing entry “L.1” in column 2, shall be substituted by the entry “L.1B”

9. In rule 18-A, after the existing sub-rule (3), the following new sub-rule (4) shall be added, namely—

- “(4) The licenses in form L.4 and L.5 (combined) or L.4A and L.5A (combined) shall only be granted at the following places:—
 - (i) Along the National Highways;
 - (ii) In the Urban Areas; and
 - (iii) In the rural areas only at the places of tourist importance as identified by the Department of Tourism.

The renewal of the existing licenses in form L.4 and L.5 (combined) or L.4A and L.5A (combined) shall not be affected by the above mentioned condition.

10. The existing rule 18-AA, shall be substituted by the following, namely:—

“18-AA The licenses in form L-4 and L-5 (combined) shall be renewed only subject to the condition that the holder of the license during the currency of the preceding year lifts the following minimum quantity of foreign spirit from the approved source(s) of supply:—

- (a) If located in Rural areas : 1000 proof litres
- (b) If located in Urban areas : 2000 proof litres”

11. The existing rule 18-B, shall be substituted by the following, namely:—

“18-B (1) Any person holding a license for Distillery or Brewery situated outside the State of Himachal Pradesh for the manufacture of foreign liquor of repute and having substantial sales of brands of liquor manufactured by him in

atleast three States/U.Ts, other than Himachal Pradesh, may be granted a license in form L.1B for storage and sale of brands of liquor manufactured by him.

(2) The license in form L.1B may also be granted to a person holding a license for a Bonded Warehouse outside the State of Himachal Pradesh, if such a person bottles brands of liquor which are of international repute and well accepted in the Indian market having substantial sales of these brands in atleast three States/U.Ts other than Himachal Pradesh only for the purpose of storage and sale of the brands of liquor which are of international repute.”

12. In rule 18-C, the sign and the word “, winery” appearing after the word ‘brewery’ shall be deleted.

13. In Rule 19-A, the existing clause (v) shall be substituted by the following, namely:—

“(v) He shall obtain the supplies of Beer, RTD Beverages and Wine/Cider from L.1, L.1BB or S.1A license holders only subject to payment of assessed fee at the rates specified in Schedule ‘B’ or in rule 17-B of the Himachal Pradesh Sweet (Manufacturer) Rules, 1988, as the case may be. The provisions of Himachal Pradesh Shop and Commercial Establishment Act, will be applicable for the observance of sale hours.”

14. In rule 22—

(1) the existing clause (ix) shall be substituted by the following, namely:—

“(ix) A L.13 licensee may open branches within a district in which L.13 is situated only at places where the office of Excise & Taxation Officer/Excise & Taxation Inspector is located subject to payment of annual fixed license fee of Rs. 15,000/- per branch.”

(2) After clause (ix), the following new clause (x) shall be added, namely—

“(x) The L-13 licensee shall obtain the supplies of country liquor from his distillery/bottling plant and no inter-district transfer from one L.13 to another L.13 shall be allowed.”

15. In Rule 23, clause (iii), the words “to be auctioned” shall be substituted by the words ‘to be allotted by allotment or renewal or auction or negotiation’.

16. The existing rule 23-A shall be substituted by the following, namely :—

“23-A. A license in form L.14-C (Ahata) may be granted by the Collector (Excise) on application to a person holding a license in form L.14 on fixed annual fee in a premises adjacent to the premises of L.14 for the consumption of liquor ‘on’ such Ahata subject to the following conditions:—

(i) The licensee should have atleast 200 sq.ft. area in the urban area and atleast 150 sq.ft. area in the rural area to run the ‘Ahata’ with seating capacity for atleast 30 and 20 persons respectively;

- (ii) He should possess proper seating arrangements like chairs, tables or benches for the consumers with enough of circulation area;
- (iii) The Ahata should have proper ventilation with toilet facilities; and
- (iv) The licensee should provide neat and clean crockery etc. to the consumers.”

17. In Rule 27—

- (i) In clauses (a) and (b), entry ‘L.9’ shall be inserted after the entry ‘L.8’;
- (ii) In clause (b), entry ‘L.2A’ shall be inserted after the entry ‘L-1.C’;
- (iii) In clause (d), entry ‘L.9’ shall be inserted after the entry ‘L.5A’.
- (iv) After clause (b), the following new para shall be added, namely :—

“The license fee for running additional premises by the holder of a license in form L.3, L.4, L.5 (combined) and for the additional godown of L.13 are also specified in Schedule ‘A’.”

18. In Rule 31 in the proviso, for the figures and signs ‘36(26)(vii)’ the figures and signs ‘36(24)(vii)’ shall be substituted.

19. In Rule 34 clause (a), after the words ‘or by calling tenders’, the words ‘or by renewal’ shall be inserted.

20. Heading ‘F’ and the subsequent rule 35 shall be substituted by the following, namely:—

“F. Allotment or renewal or auction-cum-tender.

35. Allotment or renewal.

(1) Subject to rule 34 of these rules, the following licenses shall be granted by allotment or renewal on the fixed fee :—

- (i) A license in form L.2 for retail vend of foreign liquor to the public only and wholesale vend to licenses in form L.3, L.4, L.5, L.3A, L.4A, L.5A, L.12A, L.12B and L.12C, for consumption off the premises.
- (ii) A license in form L.14 for retail vend of country spirit for consumption on and off the premises; also allowed to sell foreign liquor only in rural areas.
- (iii) A license in form L.14-A for retail vend of country spirit for consumption off the premises; also allowed to sell foreign liquor only in rural areas.
- (iv) A license in form L.20-B for manufacture and retail vend of country-fermented liquor.

(2) The licenses shall be granted by inviting applications for each vend or pre-determined combination of vends termed as ‘unit’.

(3) The Excise and Taxation Commissioner-cum-Financial Commissioner (Excise) shall, through a public notice, notify the date, time, manner and place at which the applications for allotment or renewal shall be filed by the intending person/licensees.

(4) A license shall be granted for a financial year *i.e. w.e.f.* 1st April to 31st March or part thereof. The government may, if expedient in public interest give option to the allottee for continuation of license for the next year on the levies fixed for that year.

(5) The rates of application fee, renewal fee, basic license fee and the rates of license fee applicable on different kinds of liquor and other levies shall be such as specified in Schedule 'C'.

(6) Application for allotment or renewal of license—Application for allotment or renewal of a liquor license shall be made on the prescribed form as specified in Schedule 'D', which may be obtained from the office of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the District, or the Addl. Excise & Taxation Commissioner/Dy. Excise & Taxation Commissioner of the Zone concerned free of cost—

- (i) A list of retail sale liquor vends or group of vends formed as unit, for which the Collector proposes to grant license by allotment or renewal shall be exhibited on the office notice board alongwith vend wise basic license fee, minimum guaranteed quota, the annual license fee, other levies as applicable, security amount and the earnest money at the office of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer, I/c of the District concerned.
- (ii) The application for allotment/renewal complete in all respects shall be submitted to the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer, I/c of the District concerned during such period or by such date and time as may be notified by the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise) by public notice to be published in the news papers having circulation in the area.

Explanation.—(i) “The basic license fee” means part of consideration for the grant of license for the exclusive privilege of retail sale of liquor.

(ii) “Minimum Guaranteed Quota (MGQ)” means annual quota of country or foreign spirit as fixed for each vend/unit.

(iii) “Annual license fee” means the total sum calculated by multiplying the quantity of MGQ of country liquor and foreign spirit with the rates of license fee fixed for country liquor and Indian Made Foreign Spirit and then adding the two. The rates of license fee in respect of imported foreign spirit, bottled in India (B.I.I.) or bottled in Original (B.I.O.) shall apply only if such spirit is actually lifted by the licensee and the quantity of such spirits lifted shall be counted towards lifting of minimum guaranteed quota. In case the licensee lifts foreign spirit B.I.I. or B.I.O., at the specified higher rates of license fee, the amount of license fee paid at the rates over and above the rates fixed for I.M.F.S., shall be in addition to the fixed annual license fee payable by the licensee.

(7) The Excise and Taxation Commissioner-cum-Financial Commissioner (Excise) may, if no application is forthcoming in respect of a vend or a group of vends or if it is expedient to do so in the interest of revenue, grant these licenses, alone or in combination with any other license for any vend or group of vends by resorting to any of the modes.

21. After rule 35, the following new rules '35-A' and '35-B' shall be inserted namely,—

“35-A. Allotment of licenses.

- (1) Eligibility conditions for the applicants: —
 - (a) The applications for the allotment shall only be filed by the following:—
 - (i) an individual; or
 - (ii) a body incorporated under the Indian Companies Act; or
 - (iii) a society registered under the Himachal Pradesh Co-operative Societies Act; or
 - (iv) a partnership firm; or
 - (v) a Hindu undivided family.
 - (b) When a Company or Society or Hindu undivided family referred to in sub clauses (ii), (iii) and (iv) of clause (a) above, applies for the allotment of a vend/unit, it must authorize an individual to act as an agent on behalf of the applicant, who shall be amenable in full to the Criminal Courts in India.
 - (c) An individual applicant should fulfill the following conditions to be eligible to file an application for the allotment of a vend/unit:—
 - (i) He should be a citizen of India.
 - (ii) He should have attained the age of 21 years on the day of filing of application.
 - (iii) He should not have been blacklisted or debarred from holding an excise license under the provisions of any rules made under the Panjab Excise Act 1914, as applicable in the State of Himachal Pradesh. Any person, who has been convicted of any excise offence by any court of law unless finally acquitted, shall be automatically debarred from holding the license.
 - (iv) He should not be a defaulter of any Government dues and should have cleared all the arrears, if any, due to be paid by him upto the date of filing of application for allotment.
 - (v) He should possess good moral character and should have no criminal back ground nor should have been convicted of any offence punishable under any taxation statute in Himachal Pradesh.
 - (d) The conditions of eligibility mentioned in clause (c) above shall apply to all the partners in the case of a partnership firm, every member of any other association of persons mentioned in clause (a) above, Karta of a Hindu undivided family and every individual acting as an agent on behalf of the applicant in other cases.
 - (e) In addition to the conditions mentioned in clause (c), each applicant must fulfill the following conditions:—
 - (i) He should be solvent and should have the necessary funds or should have made arrangements for the necessary funds, for conducting the business the details of which shall be made available to the licensing authority, if required, and the value of the assets held by him as declared in Form 'A' attached to the application form, should be atleast 15% of the annual license fee of the vend/unit for which the application is filed.

- (ii) He should possess or should have an arrangement for taking on rent suitable premises in the specified locality for opening the vend in accordance with the provisions of Himachal Pradesh Liquor License Rules, 1986 and that the proposed premises should not have been constructed in violation of any law or rules.
- (iii) He should agree not to employ any salesman or representative who has criminal background as mentioned in clause (iii) of clause (c) above or who suffers from any infectious or contagious diseases or is below 21 years of age.
- (f) An applicant shall not be allowed to file more than one application for the same vend/unit.
- (g) An individual should not be a partner in more than four applicant partnership firms.

Notwithstanding anything to the contrary contained in rule 8 of these rules, in the case of licenses granted by allotment, no withdrawal of any partner shall be allowed but only addition of partners can be allowed. All the partners shall be jointly and severally liable to meet the liabilities.

(2) The applicant is required to submit following documents alongwith the application of allotment:—

- (i) a bank draft drawn in favour of the AETC/ETO Incharge of the district or the Excise & Taxation Commissioner issued from a Scheduled bank as earnest money which shall be equal to 10% of the basic license fee fixed for the vend/unit. In case the applicant is selected as licensee, the earnest money shall be adjusted against the basic licence fee. In other cases it shall be returned as such to the applicant as soon as the selection process is over.
- (ii) declaration of solvency in form 'A' attached to the application form.
- (iii) an affidavit, specimen of which is given in form 'B' attached to the application form.
- (iv) two latest photographs alongwith proof of residence in the form of copies of voter Identity Card/Ration Card.

(3) The Asstt. Excise and Taxation Commissioner/Excise and Taxation Officer I/C. of the District shall examine the applications received by him to verify as to whether the applications are correct and complete. He will also examine the eligibility of the applicants and thereafter prepare a list of all applications received by him with a summary report indicating therein the number of correct and complete applications of eligible applicants as well as the number of applications found otherwise for placing the same before the Selection Committee. He will also indicate in the list, the reasons for finding an application incorrect or incomplete or for finding an applicant ineligible. The Asstt. Excise and Taxation Commissioner/Excise and Taxation Officer I/C of the District on the office notice board shall display the details of the incorrect and incomplete applications or those filed by the ineligible persons before the date fixed for allotment/draw of lots.

(4) An applicant who has been declared as ineligible or whose application has been found incorrect or incomplete by the AETC/ETO Incharge of the District, may make a

representation to the Selection Committee before the start of the process of allotment for consideration by it. The decision of the Selection Committee on such a representation shall be final and binding on the parties.

(5) The Selection Committee at the district level shall consist of the concerned Deputy Commissioner of the District, Collector (Excise) of the zone, Asstt. Excise and Taxation Commissioner/Excise & Taxation Office In charge of the District and any other gazetted officer of the Department nominated by the Excise and Taxation Commissioner. During the currency of year, if contingency of re-allotment of vend arises, the Selection Committee shall consist of the Collector (Excise) of the Zone, Asstt. Excise & Taxation Commissioner I/C of the District concerned and one Excise & Taxation Officer nominated by the Collector (Excise).

(6) The Selection Committee shall select the successful allottee from the list of applicants. In case more than one applicant is found eligible for any particular vend/unit, the Committee shall select the successful allottee for such vend/unit by way of draw of lots. The applicant or holder of Power of Attorney is required to be present at the time of selection of successful allottee so as to complete certain formalities. While drawing lottery a panel of two more applicants shall be prepared who will be given option to operate the vend in succession according to their position in the panel, in case the original allottee fails to run the same as per the terms of allotment. This panel will be valid till the expiry of the period of license. In case the applicants placed in the panel refuse to operate the vend the same will be re-allotted as per the prescribed procedure.

(7) In case there is no applicant for a particular vend/unit, the Collector shall take necessary steps for the resettlement of such vend/unit. Firstly, the applicants present shall be informed of all those vends in respect of which no application has been received. The Collector shall invite offers from all the present applicants for such vends on the prescribed application form and on receipt of the same, the process of allotment in respect of these vends shall be resorted to as per the procedure. In case there still remain some vends in respect of which no application is received, the Excise and Taxation Commissioner cum—Financial Commissioner (Excise) shall decide the mode or manner of allotting such vend(s)/unit(s) as per para 1.2.

(8) A successful allottee shall be required to pay 50% of the basic license fee as prescribed in Schedule 'C'. in cash or through a demand draft drawn at a local Scheduled bank on the day of allotment failing which the vend/unit in question shall be allotted to the next person in the panel. The remaining 50% of the basic license fee shall be paid in a Govt. Treasury within seven days from the date of allotment or before 31st March whichever is earlier. The basic license fee shall be in addition to the annual license fee.

(9) The successful allottee shall also be required to pay 5% of the amount of annual license fee on the day of draw of lots in cash or through a demand draft drawn on a local Scheduled bank. This amount shall be adjustable against the license fee for the month of April 2009. The annual license fee shall be at the rates as prescribed in Schedule 'C' taking into account the annual Minimum Guaranteed Quota of country liquor and foreign spirit fixed for the vend/unit.

(10) A list of all the successful allottees who have paid 50% of the basic license fee and the 5% of the annual license fee as mentioned in sub-rule (8) and (9) above, shall be forwarded by the AETC/ETO Incharge of the District to the Excise & Taxation Commissioner—cum—Financial Commissioner (Excise) through the Collector (Excise) of the Zone concerned for confirmation, who reserves the right to deny any proposal for confirmation without assigning any reason for doing so.

(11) If the confirmation from the Excise & Taxation Commissioner-*cum*-Financial Commissioner (Excise) is not received by 31st March, the Collector (Excise) may assume that the Financial Commissioner (Excise) has accorded confirmation for allotment.

(12) The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the district shall display on the notice board, the list of the successful allottees whose offers for allotment have been confirmed and also a list of those whose offers have not been confirmed by the Excise & Taxation Commissioner-*cum*-Financial Commissioner (Excise) Himachal Pradesh, soon after receiving the communication of confirmation/ non-confirmation.

(13) If the allotment in respect of any vend/unit made by the selection committee is rejected or not confirmed by the Financial Commissioner (Excise), the deposits of basic license fee/security made by the concerned applicant(s) as mentioned in sub-rule (8) and (9) above, shall be refunded to such applicant without any interest thereon. Deposit of security shall confer no right on the applicant for the grant of a license.

(14) If any person who has been allotted vend/unit fails to make deposit of the amount of basic license fee/security or on confirmation of the allotment by the Financial Commissioner (Excise) refuses to accept the license, the license may be resold by any arrangement mentioned in rule 34 and such allottee shall not be entitled for refund of any amount he has deposited or shall not be entitled to any other claim.

(15) The successful allottee shall also be required to furnish a security equal to the 10% of the annual license fee within seven days or 31st March whichever is earlier in the shape of cash or F.D.R. or Bank Guarantee duly pledged in favour of Asstt. Excise & Taxation Commissioner, I/C or Excise & Taxation Officer I/C of the District. This security amount shall only be released after the close of the financial year and only after the final settlement of all the Government dues. This security amount can also be released after 1st March provided whole license fee and other dues including penalties, if any, for the year are deposited by the licensee. If successful allottee fails to furnish F.D.R or Bank Guarantee or cash within stipulated time, the amount of 5% of the license fee deposited under sub-rule (9) on the day of draw of lots, shall be forfeited to the Government and the vend shall be allotted to the next person in the panel or as per the procedure prescribed.

(16) A successful allottee will also furnish two sureties who own immovable property in Himachal Pradesh, equal to the amount of two monthly instalments i.e. 17% of the total license fee.

(17) The Collector (Excise) of the Zone concerned shall issue the license in favour of a successful allottee who has completed all the formalities mentioned in the forgoing paras and allotment made by the Selection Committee in his favour has been confirmed by the Excise & Taxation Commissioner-*cum*- Financial Commissioner (Excise).

(18) In the event of the cancellation of the license for retail vend of foreign liquor/country liquor, the Collector (Excise) may re-allot it by making offer to the 2nd /3rd panellist drawn at the time of allotment or may proceed further as per the directions of the Excise & Taxation Commissioner. Any loss caused to the Government by re-allotment of the vend shall be recoverable from the out-going licensee.

(19) In the event of death of a sole proprietor, the Collector (Excise) may allow the legal heir(s) to continue the license for the remaining period, provided that the legal heir(s) are otherwise eligible to hold the license.

(20) If a licensee held by a partnership firm, in the event of death of a partner, the survivor(s) and the legal heir(s) of the deceased or in the eventuality of death of all the partners their legal heir(s), if otherwise eligible, may be allowed by the Collector (Excise) to hold the license for the remaining period of the financial year.

(21) If a sole proprietor who holds a license wants to enter into partnership with other person(s), the Collector (Excise) may allow such other person(s) to become partner(s) on a joint application made to him, if such other person(s) is otherwise eligible to hold a license, subject to payment of a sum equal to 2% of the basic license fee per person into Govt. treasury. Similar procedure shall be followed in case the partners of a partnership firm want to add more person(s) as partner(s).

(22) The licensee shall be required to lift the Minimum Guaranteed Quota as fixed for each vend failing which he shall still be liable to pay the license fee fixed on the basis of the minimum quota. In addition to the payment of license fee on the un-lifted Minimum Guaranteed Quota the licensee shall also be liable to pay additional fee at the rate of Rs.20/- per proof litre on the un-lifted quota, which falls short of 80% of the Minimum Guaranteed Quota. The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the district shall review the position of lifting of Minimum Guaranteed Quota on monthly basis. If he finds that the licensee has failed to lift 80% of the annual Minimum Guaranteed Quota by 15th of March and after hearing then licensee comes to the conclusion that the licensee will not be able to make up the deficiency by 31st March, he shall proceed to recover the amount of the additional fee as mentioned above.

(23) Payment of license fee:

- (a) The minimum guaranteed quota and the corresponding annual license fee shall be divided into twelve monthly installments.
- (b) The recovery of license fee shall be linked with the lifting of Country Liquor and Foreign Spirit quota. The licensee shall deposit the license fee into the Government treasury before obtaining the excise pass for issue of liquor from the wholesaler.
- (c) In case the licensee is unable to lift the Minimum Guaranteed Quota within a month he shall still be required to pay the full installment of license fee for that month which shall be paid by the last day of the month provided that the last installment for the month of March shall be paid in full by the licensee by 15th of March. However, less quota lifted in any month can also be issued in the subsequent month on application by the licensee in respect of which the license fee stands deposited.
- (d) In case the licensee lifts more than the Minimum Guaranteed Quota, the license shall be at liberty to adjust such excess quota in the subsequent month for the purposes of payment of license fee.
- (e) The licensee shall be required to deposit license fee at the rates specified in Schedule 'C' in respect of other kinds of liquor like beer etc. into Govt. Treasury, for which no minimum guaranteed quota has been fixed, before obtaining excise pass. This license fee shall be in addition to the annual license fee determined on the basis of minimum guaranteed quota for Country Liquor and Foreign Spirit and shall be payable on the basis of actual quantity of such liquor lifted.

(24) (a) In the event the licensee fails to make the payment of deficient amount of license fee as mentioned in sub-rule (23) by the due date, the licensee shall pay on the amount which remains unpaid, interest at the rate of 10% per annum for a delay of upto one month from the date of default. If the default in payment of license fee exceeds one month, such licensee shall pay interest @ 18% per annum on the unpaid amount from the date of expiry of one month's period from the first date of default.

Explanation:—For the purpose of this sub-para, the date of payment shall be included in the period for which interest is to be charged.

(b) No interest shall be charged on interest.

(c) If the licensee fails to deposit the license fee plus interest, as the case may be, upto the last day of the next month, or the last instalment by 15th March, the Assistant Excise & Taxation Commissioner/Excise and Taxation Officer, Incharge of the district, or any other officer authorized or directed by him would ordinarily seal the vend on 1st day of the following month or 16th March as the case may be. This shall be in addition to the penalty provisions that may be brought into operation against the licensee under the Punjab Excise Act, 1914, and the rules framed thereunder.

(25) Additional Quota:

The Excise and Taxation Commissioner Himachal Pradesh, at his sole discretion and after the licensee has paid full amount of annual license fee and lifted the annual Minimum Guaranteed Quota in full, may grant an additional quota of Country Liquor and Foreign Spirit,—

- (a) upto 15% of the Minimum Guaranteed Quota with 25% of the prescribed license fee;
- (b) beyond 15% upto 50%, at the rate of 50% of the prescribed license fee; and
- (c) above 50% at the full rate of license fee.

(26) Conversion of quota of Country Liquor into Foreign Spirit and Vice Versa:

The conversion of quota of Country Liquor into Foreign Spirit and vice versa for the year 2009-10 may be allowed by the Collector (Excise) of the Zone concerned on application of the licensee of a particular vend on the basis of the following formula:—

(a) From Foreign Spirit to Country Liquor = $\frac{\text{Required Quota} \times \text{L. fee of FS}}{\text{L. fee of Country Liquor quota}}$

(b) From Country Liquor to Foreign Spirit = $\frac{\text{Required Quota} \times \text{L. fee of C.L.}}{\text{L. fee of Foreign Spirit quota}}$

(27) No remission of license fee realizable from the licensees shall be allowed, except in accordance with the provisions of law, and no representation from licensed vendors for grant of relief on account of sale falling short of their expectations shall be entertained.

(28) **Maximum Retail Price.**—The Excise & Taxation Commissioner, Himachal Pradesh may fix the maximum as well minimum retail sale price of Country Liquor, IMFS and Beer as required. The maximum retail price as fixed by the Excise & Taxation Commissioner shall be printed on the labels of bottles or containers of liquor. The licensee shall not charge from consumers more than the maximum retail price printed on labels of bottles or containers of liquor.

(29) *Disposal of balance stock left at the expiry of the license.*—Entire quota of liquor lifted by the licensee during the year shall have to be sold during the validity of his license and the licensee shall not be permitted to sell it after expiry of license. Any balance quota of liquor found outstanding and unsold at the expiry of the term of license shall be deposited in accordance with sub-rule (32) to (34) of rule 37. However, the transfer of liquor from the outgoing licensee to the incoming licensee in such eventuality shall not affect the liability of payment of license fee of the both licensees.

35-B. Renewal of licenses:—

(1) Subject to the approval of the State Government, the retail sale licenses in form L.2, L-14, L-14A and L-20B may be renewed for the succeeding year in favour of the licensees holding these licenses for a particular year.

(2) The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/c of the District shall prepare details of all the vends/units which shall be available for renewal in consultation with the Collector (Excise) of the Zone. The details shall be displayed at the notice board of the office of the AETC/ETO I/C of the District by atleast 2 clear days prior to the first day of the receipt of applications.

(3) The licensee shall be required to file application for renewal on the prescribed proforma as contained in Schedule 'D'. If a licensee holds more than one vend/unit for the year 2008-09 in any one or more districts in the State, he shall be required to exercise the option of renewal in respect of all the vends/units held by him in the State. It shall not be open to the licensee to choose one or more particular vend(s)/unit(s) for renewal and leave the others. If a licensee does not apply for the renewal of any or some of the vend (s)/unit(s), renewal shall not be granted to him in respect of the other vend(s)/unit(s) also for which he might have applied for renewal. This condition shall not apply in the case of any unit whose constitution is changed, for the year for which the renewal is being sought.

(4) All applications for renewal shall be submitted to the AETC/ETO I/c of the District on or before the date as may be notified by the Excise and Taxation Commissioner-cum-Financial Commissioner (Excise).

(5) The applicant shall deposit renewal fee for each vend, 50% of the basic license fee for each licensing unit at the rates specified in Schedule 'C' and 5% of the annual license fee as determined under subrule (9) of rule 35-A before submission of application for renewal and attach proof of such payment alongwith the application. The 5% annual license fee so paid shall be adjusted against the instalment of annual license fee payable for the month of April, if the renewal is granted.

(6) The licensee shall be bound to accept the minimum guaranteed quota and other levies and terms and conditions as are fixed/prescribed for the vend/unit. The licensee should not be a defaulter of Government dues and should have cleared all the arrears, if any, due to be paid by him upto the date of filing of application for renewal.

(7) Renewal shall be allowed only where formation of vend/unit is not changed. But regularization of a sub-vend attached with vend/unit during the preceding year shall not be considered as change in the formation. Closure of a vend(s) in a particular unit will also not be considered a change in the constitution of the unit provided the Minimum Guaranteed Quota of the unit is not lowered.

(8) Renewal shall be allowed only if the constitution of ownership of license is not changed for the year for which renewal is sought.

(9) The licenses in respect of vends/units whose allotment/renewal for the preceding year was disputed and are still under litigation till the last date of submission of application(s) for renewal, shall not be renewed.

(10) The licensee shall not be denied the opportunity for renewal of a license for retail sale of liquor merely on account of change in the existing premises of a particular vend in a local area as may be necessary because of any reason.

(11) The AETC/ETO I/C of the District will scrutinize the applications and if found in order shall forward the same alongwith his recommendations to the Collector (Excise) of the Zone alongwith a list of all the applicants whose applications have been found in order.

(12) The Collector (Excise) after re-examining the applications shall seek prior confirmation of renewal from the Excise and Taxation Commissioner-cum-Financial Commissioner (Excise), who reserves the right to reject any application for renewal without assigning any reason for doing so.

(13) If the confirmation from the Excise and Taxation Commissioner-cum-Financial Commissioner (Excise) is not received by 31st March, the Collector may assume that the Financial Commissioner has accorded confirmation for the renewal.

(14) The AETC/ETO I/C of the District shall also forward the application(s) which have been found by him to be incomplete or suffering from some other defects, to the Collector (Excise) of the Zone, who shall re-examine the application(s) and take further decision thereon.

(15) The offer of renewal shall not confer any right on any existing licensee and despite fulfilment of all conditions mentioned herein by any licensee, the Excise & Taxation Commissioner shall be competent to reject offer of renewal in respect of any vend/unit in the interest of Government revenue.

(16) The unsold balance stock of liquor in the vend as on 31st March of preceding year shall be counted towards the Minimum Guaranteed Quota for the succeeding year and license fee shall be charged on that stock at the rates prescribed for the succeeding year but no excise duty and VAT shall be charged.

(17) In all matters not specified in this chapter the conditions governing the allotment of vends contained in Chapter II shall apply *mutatis mutandis*."

22. In rule 37 sub-rule (31) the existing para appearing after the third proviso shall be substituted by the following new para, namely,—

"In the case of Indian Made Beer, the capacity of bottles/cans shall be 650 mls or 500 mls or 330 mls."

23. In Rule 38—

(1) In sub-rule (1)—

(a) letter, sign and figure 'L.1' appearing in clauses (a) and (b) shall be deleted.

(b) In clause (b) the word, letter, sign and figure ' or L.1-C' shall be substituted by the sign, letter, figure and word ' , L.1-C, L.1-BB, S.1-B or S.1-A'.

(2) In sub-rule (1-A)—

- (a) the words ‘and retail’ appearing after the word ‘wholesale’ shall be deleted.
- (b) the existing clause (c) shall be substituted by the following, namely,—
- “(c) The licensee shall transfer foreign liquor to L.1-C only after depositing duty on such liquor in the Government treasury/sub-treasury at the prescribed rates.”.
- (c) Clause (d) shall be deleted.

(3) Sub-rule (1-AA) shall be deleted.

(4) The existing sub-rule (1-B) shall be substituted by the following, namely :—

“(1-B). A license in form L-1B for the wholesale vend of foreign liquor to L-1 vends only .—

- (i) The licensee shall function as a stockist in respect of the brands of liquor manufactured by his distillery, bottling plant or brewery only, and he shall sell liquor to the L.1 license holders only.
- (ii) The licensee shall furnish security of Rs. 2,00,000/- in the shape of a fixed bank term deposit or National Saving Certificates duly pledged in favour of the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise), or bank guarantee from a Scheduled Bank.
- (iii) The licensee shall not sell any brand of liquor unless such brand has been registered with the Financial Commissioner (Excise) on payment of Rs. 7500/- per brand and has been allotted a registration number for such brand. No pass for sale of any un-registered brand shall be issued.”

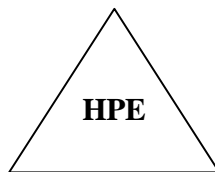
(5) The existing sub-rule (1-BB) shall be substituted by the following, namely:—

“(1-BB). A license in form L.1BB for the wholesale vend of imported liquor to other wholesale and retail sale licenses in form L.1, L.2, L.3, L.4, L.5, L.3A, L.4A, L.5A, L.10.BB,L.12A,L.12.B and L.12C only—

- (i) the licensee shall sell bottled imported foreign liquor in sealed and capsuled bottles only;
- (ii) the licensee shall obtain supplies of bottled imported foreign liquor (BIFL) from out side India or through the sources approved by the Financial Commissioner;
- (iii) the licensee shall not sell brands of imported foreign liquor unless such brands have been registered with the Financial Commissioner on payment of Rs. 2500/- per brand in case of all liquor excluding wine and cider and in the case of wine or cider on payment of Rs. 100/- per brand;

- (iv) the licensee shall get the approval of the brands renewed before 15th of April in each year;
- (v) the licensee shall furnish security of Rs. 1,00,000/- in the shape of a fixed bank term deposit or National Saving Certificates duly pledged in favour of the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise), or bank guarantee from a Scheduled Bank.”
- (6) In sub-rule (1-C), the existing clause (b) shall be substituted by the following, namely :—
“(b) condition (i) and (iii) for license in form L.1B shall apply *mutatis mutandis*.”
- (7) In sub-rule (2)—
(a) in clause (c) after the words ‘any’ the letters, signs and figure ‘L.1AA and S.1’ shall be substituted by the letters, signs and figure ‘L.1, L.1BB and S.1A’;
(b) the proviso after clause (c) shall be deleted.
- (8) The existing sub-rule (2-A) shall be substituted by the following sub-rule, namely:—
“(2-A) Supplementary license in form L-2A (Ahata) for retail vend of foreign liquor to the public only for consumption ‘on’ the premises:—
(a) The license shall be granted only to the holder of a L-2 license by the Collector (Excise) of the concerned zone on application on fixed annual license fee as prescribed;
(b) The licensee shall run the vend on the premises in or adjoining the premises of L-2 vend to which L-2A vend (Ahata) is attached. Where the premises are not so provided, an L-2A vend shall not be approved by the Collector (Excise);
(c) The license shall only be granted if the following conditions are fulfilled:—
(i) The licensee should have atleast 200 Sq.ft. area in the rural area to run a ‘Ahata’ and atleast 150 Sq.ft. area in the rural area with seating capacity of atleast 30 and 20 persons respectively;
(ii) He should possess proper seating arrangements like chairs, tables or benches for the consumers with enough of circulation area;
(iii) The ‘Ahata’ should have proper ventilation with toilet facilities;
(iv) The licensee should provide neat and clean crockery etc. to the consumers.
(v) The licensee shall also provide proper cover to the customers drinking on the premises of the L-2A vend, so that they are not visible to public from outside the vend.
(vi) The sale for consumption on the premises shall be by duly stamped peg measures of 60 mls and 30 mls in the case of foreign liquor and in case of beer by bottle/can of 650 mls, or 500 mls or 330 mls.
(vii) Foreign liquor to be sold for consumption shall be of the prescribed strength in each case, and its supplies shall be obtained from the concerned main L-2 vend only;
(viii) The license shall not be run on the premises used as hotels and restaurants.”

- (9) In sub-rule (11)—
- (a) after the words ‘ Indo-Tibetan Border Police’ the words “or Suraksha Sena Bal” shall be inserted wherever occur.
- (b) In clause (e) for the existing words and signs ‘conditions (c) and (d)’ the words and signs ‘condition (iii), shall be substituted.
- (10) In sub-rule (11-A) before clause (a) the following entry shall be inserted, namely—
- “A license in form L.9A for retail vend of foreign liquor exclusively for sale of liquor to exservicemen (Supplementary to license in Form L.9) :—”
- (11) The existing sub-rules (13) and (14) shall be deleted.
- (12) In sub-rule (15)—
- (i) In clause (g) sub-clause (i) before item (a) the following shall be added—
- “The foreign spirit shall be bottled in bottles of following sizes :— ”
- (ii) In clause (g) sub-clause (ii), the existing item “(a)” shall be substituted by the following, namely,—
- “(a) the specification of the capacity of bottle and the words “H.P. Excise” shall have a monogram, moulded or sandblasted, on them in a triangle *e.g.* ”



- (iii) In clause (k)—
- (a) in sub-clause (i), the existing words “symbol of vegetarian or non-vegetarian” shall be deleted.
- (b) in sub-clause (ii), before item ‘(a)’ the words and signs “The following shall appear in English on the labels” shall be inserted.
- (c) In sub-clause (ii) after item ‘(h)’, the following new item (i) shall be added :—
- “(i) Symbol indicating vegetarian or non-vegetarian.”
- (13) In sub-rule (20) before clause (a), the following entry shall be inserted, namely :—
- “A license in form L.13 for the wholesale vend of country spirit:— ”
- (14) Sub-rule (20-A) shall be deleted.
24. In rule 39, in clause (i) the word and entry “and L.29” shall be deleted.
25. The existing Schedule ‘A’ appended to the said rules, shall be substituted by the following Schedule, namely:—

SCHEDULE 'A'
[See clause (b) of rule 27]

Sr. No.	Particulars of license	Rates of fixed fee per annum.
1	2	3
1.	L.1 for the vend of foreign liquor to the trade only.	Rs. 2,00,000/-
2.	L.1-A for the storage of foreign liquor in- bond combined with whole sale vend of foreign liquor to the trade only, and for a license in form L.11 to bottle foreign liquor.	Rs. 75,000/-
3.	L.1-B Licenses	(i) Rs. 1.50 per proof litre on Foreign Spirit and Re. 0.50 per B.L. on RTD Beverages subject to minimum of Rs. 50,000/-
	(i) for wholesale vend of foreign liquor manufactured out side the State, to L.1 vend only.	
	(ii) for wholesale vend exclusively for Beer, manufactured out side the State, to L.1 vend only.	(ii) Re. 0.50 per bulk litre subject to minimum of Rs. 30,000/-
4.	L.1-BB for wholesale vend of imported foreign liquor) from outside India to L.1, L.2, L.3, L.4, L.5, L.3A, L.4A, L.5A, L.12A, L.12B & L.12C license holders only.	(i) Rs.23/-per proof litre of Foreign Spirit; and (ii) Rs. 4.67 per bottle of 650 mls. Capacity or Rs.7.20 per bulk litre of Imported; and Beer with alcoholic content upto 5% v/v (iii) Rs. 7.67 per bottle of 650 mls capacity or Rs.11.80 per bulk litre of imported Beer with alcoholic content above 5% v/v but not exceeding 8.25% v/v; and (iv) Rs. 3/- per bulk litre of Imported wine containing alcoholic contents upto 20% v/v; and (v) Rs. 5/- per bulk litre of Imported wine containing alcoholic contents above 20% v/v but not exceeding 30% : Subject to a minimum of Rs. 25,000/- per annum.
5.	L.1-C for wholesale vend of foreign liquor to L.1 vend only by the manufacturers within the State.	Rs. 2,25,000/- per annum.
6.	L.2-A (Ahata) for retail vend of foreign liquor to the public only for consumption 'on' the premises (supplementary to a license in form L.2)	Rs. 10,000/- per Ahata
7.	L.14-C (Ahata) for retail vend of liquor to the public only for consumption 'on' the premises (supplementary to a license in form L.14)	Rs. 5,000/- per Ahata
8.	L.3, L.4 and L.5 (combined) for the vend of foreign liquor in a hotel or dak-banglow, restaurant and a bar attached to a restaurant for consumption 'on' the premises as per locations mentioned below—	For hotels where number of room is :— 10 to 50 > 51
	(a) (i) Shimla town including Kasumpti, New Shimla, Khalini, Vikasnagar, areas along National Highway upto Parwanoo, Chharabra & Kufri	Rs. 0.75 lakh Rs. 1.05 Lakh.
	(ii) Areas from Katrain to Kothi in Kullu District.	-do- -do-
	(iii) All district headquarter towns and localities adjacent thereto in H.P (excluding Kinnaur	-do- -do-

and Lahaul and Spiti district headquarters)
Palampur, Dalhousie, Chail and Kasauli.

(b)	All other areas.	Rs. 0.40 Lakh	Rs. 1.00 Lakh.
9.	L.4 & L.5 (Combined) for vend of foreign liquor in a restaurant and a bar attached to restaurant for consumption 'on' the premises and located in:		
(a)	Areas mentioned in 8(a)(i), (ii) & (iii)	Rs. 0.90 Lakh.	
(b)	Areas mentioned in 8(b)	Rs. 0.40 Lakh.	
10.	L.4-A & L.5A (combined) for the vend of beer in a restaurant and a bar attached to restaurant for consumption 'on' the premises and located in:		
(a)	Areas mentioned in 8(a) (i) (ii) & (iii)	Rs. 0.40 Lakh.	
(b)	Areas mentioned in 8(b)	Rs. 0.30 Lakh	
11.	Addl. License fee for each additional premises with L,3, L.4 & L.5 (combined) license under rule 18-A, first proviso.	Rs. 0.20 Lakh	
12.	L.9 for retail vend of foreign liquor in a Military Canteen including unit-run Military Canteens or those run regimentally on club lines and SSB or ITBP canteen.	Rs. 1,000/-	
13.	L.9-A for mobile retail vend of foreign liquor exclusively for sale of the liquor to ex-servicemen at a specific location (Supplementary to license in form L.9 in a Military Canteen including unit-run-Military Canteen or those run regimentally on club lines).	Rs. 1,500/- per location	
14.	L.10-BB for retail vend of beer, wine, cider and RTD beverages in a Departmental stores etc. for consumption 'off' the premises.	Rs. 15000/-	
15.	L.12 for the sale of medicated wine.	Rs. 50/-	
16.	L.12-A for the retail sale of foreign liquor at a bar attached temporarily to a theatre or cinema or other such place of entertainment.	(i) Minimum fees : Rs. 10/- per license or for licenses for more than a day, Rs. 5/- per diem, whichever is greater. (ii) Maximum Fees: Rs. 100/- per diem, or Rs. 300/- per mensum.	
17.	L.12AA for temporary license for the retail sale of foreign liquor for celebration of special occasions at a hotel/restaurant.	Upto 3 days = Rs. 2500/- For every additional day = Rs. 750/-	
18.	L.12 B for the retail vend of foreign liquor at a bar attached permanently to a theatre or cinema or other such place of entertainment.	Rs. 150/-	
19.	L.12-C for retail vend of foreign liquor at a club-		
(a)	Where the number of members is upto 100	Rs. 1000/-	
(b)	Where the number of members is above 100	Rs. 5000/-	
20.	(i) L.13 for the wholesale vend of country liquor. (ii) Each additional Godown of L.13.	Rs. 50,000/- Rs. 15000/-	
21.	L.17 for vend of denatured spirit with one time possession		

	limits:—			
	(i) Upto 1000 Bls.	Rs. 1000/-		
	(ii) Above 1,000 Bls.	Rs. 2000/-		
22.	L.19 for the vend of Rectified spirit.	Rs. 100/-		
23.	L.20–C for manufacture and possession of Country Fermented Liquor for home Consumption	One year Rs. 10/-	5 years Rs. 50/-	10 years Rs. 100/-
24.	L.20–CC for manufacture of country liquor by distillation from fruits & grains for home consumption	One year Rs. 50/-	5 years Rs. 250/-	10 years Rs. 500/-
25.	L.20–D for manufacture and possession of Country Fermented Liquor for use on special occasions.	One year Rs. 10/-	5 years Rs. 50/-	10 years Rs. 100/-
26.	(i) L-50 Permit (for possession upto 18 bottles (13.50 Bls.) of Foreign Spirit and 36 bottles (23.40 Bls.) of Beer)	One year Rs. 150/-	3 years Rs. 300/-	Life time Rs. 2500/-
	(ii) L-50A Permit-	Rs. 250/-		
	(a) For possession upto 36 Bls of Foreign Spirit /C.L and 39 Bls of Beer.			
	(b) For lifting of quantity of liquor more than as specified in (a) to the satisfaction of the permit issuing authority.	Rs. 500/-		

26. The existing Schedule 'B' appended to the said rules shall be substituted by the following, namely:—

SCHEDULE 'B'
(See Rule 30)

(i) Rates of Assessed fee for licenses inform L.3, L.4, L.5, L.3A, L.4A, L.5A, L.12A, L.12B and L.12C

Sr. No.	Kind of liquor	Rate of assessed fee
1.	Foreign Spirit—	
	(i) Indian Made Foreign Spirit	Rs. 130.00
	(ii) Imported Spirit (B.I.D)*	Rs. 160.00
	(iii) Imported Spirit (B.I.O).**	Rs. 180.00
2.	Wine and Cider—	
	(i) Imported (B.I.O)	Rs. 30.00
	(ii) Indian Made (imported through the source of S-1B only and subsequently sold through L.1)	Rs. 20.00
3.	Beer—	
	(i) Imported (B.I.O)	Rs. 30.00
	(ii) Indian Made	Rs. 20.00
	(iii) Draught beer	Rs. 28.00
4.	Ready To Drink Beverages	Rs. 20.00

(ii) Rates of Assessed fee for licenses in form L-9.

Sr. No.	Kind of liquor	Rate of assessed fee per bulk litre
1.	(i) Indian Made Foreign Spirit—	
	(a) Rum	Rs. 60.00
	(b) Cheap and Regular	Rs. 65.00
	(c) Premium	Rs. 80.00
	(d) Deluxe including Imported Spirit (B.I.I.).	Rs.120.00
	(ii) Imported Spirit (B.I.O)	Rs.125.00
2.	Wine	Rs. 5.00
3.	Cider	Rs. 1.00
4.	Beer (i) Imported (B.I.O)	Rs. 11.00 per bottle of 650 mls
	(ii) Indian Made	Rs. 8.00 per bottle of 650 mls.

(iii) Rates of Assessed fee for licenses in form L.10.BB.

(a)	Beer for L.10BB-	
	(i) Imported (B.I.O.)	Rs. 27.00
	(ii) Indian Made	Rs. 18.00
(b)	Wine and Cider—	
	(i) Imported (B.I.O)	Rs. 27.00
	(ii) Indian Made (imported through the source of S-1B only and subsequently sold through L.1)	Rs. 18.00
(c)	Ready To Drink Beverages.	Rs. 18.00

* B.I.I.—Bottled in India

** B.I.O.—Bottled in Original.

27. The existing Schedule 'C' shall be substituted by the following, namely :—

SCHEDULE 'C'
(See Rule 35 and 35-A)

The rates of Application fee for allotment, Renewal fee, Basic license fee and Annual license fee :—

- (1) **Application** fee for allotment = Rs.10,000/-
- (2) **Renewal fee** per vend :--

Sr. No.	Value of vend	Renewal Fee
(i)	Upto Rs.15 lac	Rs. 15,000/-
(ii)	Above Rs. 15 lac upto Rs. 25 lac	Rs. 30,000/-
(iii)	Above Rs. 25 lac upto Rs. 50 lac	Rs. 45,000/-
(iv)	Above Rs. 50 lac	Rs. 60,000/-

(3) Basic License fee—

Sr. No.	Minimum Guaranteed Quota of the Unit	Basic license fee
1.	Upto 15000 Pls	Rs. 25,000.00
2.	Above 15000 to 25000 Pls	Rs. 35,000.00
3.	Above 25000 to 35000 Pls	Rs. 45,000.00
4.	Above 35000 to 45000 Pls	Rs. 55,000.00
5.	Above 45000 to 65000 Pls	Rs. 70,000.00
6.	Above 65000 to 80000 Pls	Rs. 80,000.00
7.	Above 80000 to 100000 Pls	Rs. 1,00,000.00
8.	Above 100000 to 200000 Pls	Rs. 2,00,000.00
9.	Above 200000 Pls	Rs. 5,00,000.00
(4)	License fee—	
	Kind of liquor	Rate of license fee
	Country Liquor	Rs.105/- per proof litre.
	Foreign Spirit—	
	Indian Made Foreign Spirit	Rs.140/- per proof litre.
	Foreign Spirit (B.I.I)	Rs. 170/- per proof litre.
	Foreign Spirit (B.I.O.)	Rs. 200/- per proof litre
	Beer	
	Indian Made	Rs. 18/- per bulk litre
	Imported Beer (B.I.O)	Rs. 27/- per bulk litre.
	Wine & Cider	
	(i) Indian Made (imported through some of S-B and subsequently sold through L.1)	Rs.18/- per bulk litre
	(ii) Imported (B.I.O)	Rs. 27/- per bulk litre.
	Ready To Drink Beverages	Rs. 18/- per bulk litre.

28. After Schedule 'C', the following new Schedule 'D' shall be inserted, namely :—

SCHEDULE 'D'

ANNEXURE- 'A'

**EXCISE AND TAXATION DEPARTMENT
HIMACHAL PRADESH**

**APPLICATION FOR *ALLOTMENT/RENEWAL OF LICENSES IN FORM L.2, L.14,
L.14-A OR L.20-B FOR THE YEAR 2009-10**

(Separate Application Form to be submitted for each licensing Unit alongwith proof of payment of
**application fee in case of allotment or renewal fee in case of renewal)

Sr. No. _____

To

The Asstt. Excise and Taxation Commissioner/
Excise & Taxation Officer I/c
Disitric-----

Sir,

I/we, (i) ----- (ii) ----- (iii) -----
 ----- (iv) ----- (Name(s))

request that I/we may be *allotted/renewed license(s) in form L-2, L-14, L-14A or L-20B vend(s) for the year 2009-10 in respect of the following licensing Unit:—

Code No. & Name of the Licensing unit : No. _____ Name _____

Annual License Fee for 2009-10: Rs. _____ (in figures)
 _____ (in words).

Details of the vends in the Unit

Sr. No.	NATURE AND THE LOCATION OF THE VEND(S)
1.	L-14/L-14A VEND(S)
	(I)
	(II)
	(III)
2.	L-2 VEND(s)
	(I)
	(II)
	(III)

* Strike out whichever is not applicable.

** Application fee for allotment: Rs. 10,000/- per licensing unit.

Renewal Fee per vend:

(i)	with annual license fee upto Rs. 15 lacs	--	Rs. 15,000/-
(ii)	with annual license fee above Rs. 15 lacs upto Rs. 25 lacs	--	Rs. 30,000/-
(iii)	with annual license fee above Rs. 25 lacs upto Rs. 50 lacs	--	Rs. 45,000/-
(iv)	above Rs. 50 lacs	--	Rs. 60,000/-

2. I/we have enclosed a Demand Draft No.----- Dated ----- for Rs.-----
 -----, (equal to 10% of the basic license fee in the case of application for allotment or equal to 50% of the basic license fee in the case of application for renewal of the licensing Unit), drawn on
 ----- (name of the Bank) in favour of the Asstt. Excise & Taxation
 Commissioner/Excise & Taxation Officer Incharge of the District -----.

3. Other particulars are given as under:—

- (i) Name of the Proprietor/ *Managing Partner/
 Karta of HUF/Authorized person of a
 Company/Society/ *Association of
 Persons *(duly authorized)
- (ii) Father's/Husband's Name

(iii)	Whether applying (tick mark)	a) In Individual capacity b) As Partner of a partnership firm c) Karta of HUF d) on behalf of Company/Association of persons.
(iv)	Postal Address	
(v)	Age	
(vi)	Telephone No.	
(vii)	PAN NO. (if possess) (Attested copy attached herewith)	
(viii)	Detail of properties (Proof in the form of copies of Registered Deed/Fard etc. Attached).	i) ii) iii) iv) v)
(ix)	Proof of residence (Attested copy of voter ID Card/ Ration Card attached)	

* Attach copy of partnership deed alongwith authorization from other partners.

** In the case of Company, attach Article of Association and Memorandum of Association and authorisation.

*** In other cases, attach authorization from competent persons.

4. Recent photographs of all partners are submitted, one affixed below and another stapled/pinned with the application:
5. *The declaration of solvency based on value of assets in Form-‘A’ is attached.
6. The required affidavit(s) in Form-‘B’ is attached.
7. Signature(s) of the applicant(s) with their full name(s) and address(es):

	NAME (With father's/ husband name)	Address	Signature
(i)			
(ii)			
(iii)			
(iv)			
(v)			

DATE:

PLACE:

* The value of assets as declared in Form-‘A’ should not be less than 15% of the annual license fee of the vend.

PART-1
(Slip for draw of lots)

Sr. No.

District.

Name of the first
Applicant.

Detail of the vend(s) in the licensing Unit:—

Code No. of the
Licensing UnitAnnual license fee
(2009-10).

Rs.Lac

SR. NO.	LOCATIONS OF THE VEND(S).
1.	L-14/L-14A
(i)	
(ii)	
(iii)	
2.	L-2 VEND
(i)	

Signature(s) of Applicant(s)

Signature

--	--	--

AETC. District I/ C.

E.T.O (circle)

ETI (circle)

PART-II
(Receipt)

Sr. No.

Received from Sh./Smt.----- S/O, W/O, D/O -----
 ----- R/O -----application along with earnest money of
 Rs. ----- Vide D.D. No.----- Dated-----drawn on -----
 ----- (Name of the Bank) and the requisite documents, for the grant/renewal of the
 following licensing Unit:—

Detail of the vend(s) in the licensing Unit: —

Code No. of the licensing Unit
2009-10

Annual license fee

SR. NO.	LOCATIONS OF THE VEND(S).
1.	L-14/L-14A vend(s).
(i)	
(ii)	
(iii)	
2.	L-2 Vend
(i)	
(ii)	
(iii)	

Date-----

Place -----

Signature of the receiving Official
With Office Stamp.

Time-----.

PART-III
(OPTION SLIP)

SR. NO.

DISTRICT.

Name of the first Applicant or Company/Firm.

I applied for the grant of a licensing Vends/Unit in the above mentioned district and was unsuccessful in the draw of lots held on My application may now be considered for the following Unit:—

Detail of the vend(s) in the licensing Unit:—

Code No.of the
Licensing Vend/
Unit.
Annual License fee
(2009-10)

Rs.Lac.

Sr. No.	LOCATION OF THE VEND(S).
1.	L-14/L-14A
(I)	
(II)	
(III)	
2.	L-2 Vend
(i)	
(ii)	

Earnest money already deposited may be treated as earnest money for the above mentioned licensing Unit. Cash receipt/DD No. _____ dated _____ for Rs. _____ paid to/drawn on _____ (name of the bank) is attached herewith, as a differential of the new licensing Unit (to be filled, if the original earnest money is less than the required earnest money).

Signature(s) of Applicant(s)

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AETC.District I/C.

ETO(circle)

ETI (circle)

Note.—Signature of the departmental Officers/ officials to be affixed on the date of draw of lots after the receipt of option slip from the applicant(s).

FORM-‘A’

**DECLARATION OF SOLVENCY BASED ON VALUE OF ASSETS
VALUE OF ASSETS OF AN INTENDING APPLICANT**

1. Name _____
2. Father's Name _____
3. Full Permanent Address _____

4. Occupation _____
5. Telephone Number(s) _____
6. (A) Details of moveable properties:

S. No.	Description	Description	Value
1.	Bank Deposits		
2.	Vehicles		
3.	Shares/ Debentures etc.		
4.	Ornaments		
5.	Others		

6. (B) Details of immovable properties

S. No.	Description	Area/Quantity	Value
1.	Land		
2.	Building		
3.	Plant and machinery		

7. Total value of moveable and immovable assets (A+B)=

DECLARATION BY THE APPLICANT

I solemnly declare that the facts about my property stated above are correct and that the immovable property specified above is free from all encumbrances.

Place:*Signature of Applicant***Date:**

FORM "B"

(Specimen of the affidavit to be furnished by an *applicant)

AFFIDAVIT

I ----- S/O, D/O, W/O -----
 ----- R/O -----
 ----- do hereby solemnly affirm and declare :—

- (i) That I possess or has an arrangement for taking on rent suitable premises in that locality for opening the shop in accordance with the provisions of Himachal Pradesh Liquor License Rules, 1986.
- (ii) That the proposed premises have not been constructed in violation of any law or rules.
- (iii) That I possess good moral character and have no criminal back ground nor have been convicted of any offence punishable under any taxation statute in Himachal Pradesh.
- (iv) That I shall not employ any salesmen or representative who has criminal background as mentioned in clause (iii) or who suffers from any infectious or contagious diseases or is below 21 years of age.
- (v) That I am not in arrears of any Government dues.
- (vi) That I am **solvent and has the necessary funds or has made arrangements for the necessary funds, for conducting the business, the details of which shall be made available to licensing authority if required.

* If there are more than one applicants, each applicant is required to file separate affidavit.

**Solvency is to be declared in Form "A" attached to the application form and the minimum value of their assets should be at least 15% of annual license fee of the vend/unit for which application submitted.

- 2. That I have not been convicted of any non-bailable offence by a criminal court.
- 3. That I have not held a license in Himachal Pradesh for sale of any intoxicant that was cancelled for failure to pay the license fees.
- 4. That I am not a defaulter under any of the Acts administered by the Excise & Taxation Department, Himachal Pradesh.
- 5. That I agree to abide by the provisions of the Punjab Excise Act, 1914 as applicable in Himachal Pradesh and the rules framed thereunder and the terms and conditions of the license which may be granted.

Place :

Deponent

Date:

Verification.

Verified that the above statement is true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

Attested.

Signature and Stamp of Notary Public.

आदेश द्वारा,
 हस्ताक्षरित /—
 आबकारी एवं कराधान आयुक्त।

[*Aauthoritative english text of Excise & Ttaxation Department notification no. 7-155/2008-EXN-9076-95 dated 31-3-2009 as required under article 348(3) of the Constitution of India*].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Shimla-171009, the 31st March, 2009

No.7-155/2008-EXN-9076-95.—In exercise of the powers conferred by section 59 of the Punjab Excise Act, 1914 (1 of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and as in force in the Territories transferred to Himachal Pradesh under section 5 of the Punjab Re-Organisation Act, 1966 (31 of 1966) and by virtue of the powers of the Financial Commissioner (Excise), conferred on me under section 9 of the said Act, read with the Himachal Pradesh (Excise Power and Appeal) Orders, 1965, I, R. D. Dhiman, Excise and Taxation Commissioner, Himachal Pradesh hereby make the following further amendments in the Himachal Pradesh Liquor License Rules, 1986 (hereinafter called the ‘said rules’) as amended from time to time, with effect from 1-4-2009 :—

AMENDMENTS

In the said rules.—

1. The entries ‘L.1AA’, ‘L.10’ and ‘L.13A’ wherever occur, shall be deleted.
2. In rule 1 in column 2 of the table —
 - (i) against entry “L.1A” in column 1, the words ‘and retail’ shall be deleted.
 - (ii) against entries “L.3A”, and “L.5A” in column 1, after the word “beer” the words “cider and wine” shall be inserted.
 - (iii) against entry “L.9” in column 1, after the words “on club lines”, the sign and words, “Sashatra Sena Bal (SSB)” shall be inserted.
3. In rule 1, in column 3 of the table—
 - (i) against entry “L.9”, in column 1, the existing entry “assessed fee” shall be substituted by the entry “fixed fee and assessed fee”.
 - (ii) against entry “L.9A”, in column 1, the existing entry “assessed fee” shall be substituted by the entry “fixed fee”.
 - (iii) against entry “L.12C” in column 1, the existing entry “assessed fee” shall be substituted by the entry “fixed fee and assessed fee”.
4. In rule 1, against entry “L.14C (Ahata)” in column 1, the entry “Collector” appearing in column 5, shall be substituted by the entry “Not renewable”.
5. In rule 12 sub-rule (1), in the certificate below the first proviso—
 - (i) after the words, signs and figure ‘Himachal Pradesh General Sales Tax Act, 1968/ ’ the words, signs and figure ‘Himachal Pradesh Value Added Tax Act, 2005/ ’ shall be inserted.
 - (ii) the figures and sign ‘31.12.19..’ shall be substituted by the figure and sign ‘31-12-20..’

- (iii) the words 'no Sales Tax dues' shall be substituted by the words 'no Sales Tax or VAT dues'.
6. In rule 15—
- (1) In the table—
- (i) Against first and second entries of column 1 relating to L.1 etc. and L.1A etc. respectively, the words "for the wholesale or retail vend of Country Spirit & Beer" appearing in column 2, shall be deleted.
- (ii) Against fourth entry relating to L.3, L.3A etc. in column 1, the words "or a license in form [xxxx] attached with Country Liquor vend" shall be deleted.
- (iii) In the fifth entry relating to L.9 in column 1, after the words and sign "on club lines," the words "Sashtra Sena Bal (SSB)" shall be inserted.
- (2) The existing proviso after the table shall be deleted.
7. The existing rule 16 shall be substituted by the following, namely—
- "16.(1) No person holding a license for a distillery, bonded warehouse or brewery shall hold any license under these rules except—
- (a) licenses in form L.1-C, L.1-A and L.11 for the wholesale vend of foreign liquor to the trade only, storage of foreign liquor in bond combined with wholesale vend of foreign liquor to the trade only and bottling of foreign liquor respectively.
- (b) licenses in form L.13, L.15 and L.16 for the wholesale vend of country spirit bottling of country spirit and reduction of country spirit respectively.
- (c) a license in form L.17 for the wholesale vend of denatured spirit.
- (d) a license in form L.19 for the wholesale vend of rectified spirit."
- (2) No person holding a license for a winery shall hold any license except a license in form S.1A and S.1AA granted under the Himachal Pradesh Sweet (Manufacture) rules, 1988."
8. In rule 17—
- (1) In column 2 in the table, in the fourth and fifth entries the existing words "A person holding license in form L.14 for the retail vend of country liquor" shall be deleted.
- (2) Against entry L.11 in column 1, the existing entry "L.1" in column 2, shall be substituted by the entry "L.1B"
9. In rule 18-A, after the existing sub-rule (3), the following new sub-rule (4) shall be added, namely—
- "(4) The licenses in form L.4 and L.5 (combined) or L.4A and L.5A (combined) shall only be granted at the following places:—
- (i) Along the National Highways;

- (ii) In the Urban Areas; and
- (iii) In the rural areas only at the places of tourist importance as identified by the Department of Tourism.

The renewal of the existing licenses in form L.4 and L.5 (combined) or L.4A and L.5A (combined) shall not be affected by the above mentioned condition.

10. The existing rule 18-AA, shall be substituted by the following, namely:—

“18-AA The licenses in form L-4 and L-5 (combined) shall be renewed only subject to the condition that the holder of the license during the currency of the preceding year lifts the following minimum quantity of foreign spirit from the approved source(s) of supply:—

- (a) If located in Rural areas : 1000 proof litres
- (b) If located in Urban areas : 2000 proof litres”

11. The existing rule 18-B, shall be substituted by the following, namely:—

“18-B (1) Any person holding a license for Distillery or Brewery situated outside the State of Himachal Pradesh for the manufacture of foreign liquor of repute and having substantial sales of brands of liquor manufactured by him in atleast three States/U.Ts, other than Himachal Pradesh, may be granted a license in form L.1B for storage and sale of brands of liquor manufactured by him.

(2) The license in form L.1B may also be granted to a person holding a license for a Bonded Warehouse outside the State of Himachal Pradesh, if such a person bottles brands of liquor which are of international repute and well accepted in the Indian market having substantial sales of these brands in atleast three States/U.Ts other than Himachal Pradesh only for the purpose of storage and sale of the brands of liquor which are of international repute.”

12. In rule 18-C, the sign and the word “, winery” appearing after the word ‘brewery’ shall be deleted.

13. In Rule 19-A, the existing clause (v) shall be substituted by the following, namely:—

“(v) He shall obtain the supplies of Beer, RTD Beverages and Wine/Cider from L.1, L.1BB or S.1A license holders only subject to payment of assessed fee at the rates specified in Schedule ‘B’ or in rule 17-B of the Himachal Pradesh Sweet (Manufacturer) Rules, 1988, as the case may be. The provisions of Himachal Pradesh Shop and Commercial Establishment Act, will be applicable for the observance of sale hours.”

14. In rule 22—

(1) the existing clause (ix) shall be substituted by the following, namely:—

“(ix) A L.13 licensee may open branches within a district in which L.13 is situated only at places where the office of Excise & Taxation Officer/Excise & Taxation Inspector is located subject to payment of annual fixed license fee of Rs. 15,000/- per branch.”

(2) After clause (ix), the following new clause (x) shall be added, namely—

“(x) The L-13 licensee shall obtain the supplies of country liquor from his distillery/bottling plant and no inter-district transfer from one L.13 to another L.13 shall be allowed.”

15. In Rule 23, clause (iii), the words “to be auctioned” shall be substituted by the words ‘to be allotted by allotment or renewal or auction or negotiation’.

16. The existing rule 23-A shall be substituted by the following, namely :—

“23-A. A license in form L.14-C (Ahata) may be granted by the Collector (Excise) on application to a person holding a license in form L.14 on fixed annual fee in a premises adjacent to the premises of L.14 for the consumption of liquor ‘on’ such Ahata subject to the following conditions:—

- (i) The licensee should have atleast 200 sq.ft. area in the urban area and atleast 150 sq.ft. area in the rural area to run the ‘Ahata’ with seating capacity for atleast 30 and 20 persons respectively;
- (ii) He should possess proper seating arrangements like chairs, tables or benches for the consumers with enough of circulation area;
- (iii) The Ahata should have proper ventilation with toilet facilities; and
- (iv) The licensee should provide neat and clean crockery etc. to the consumers.”

17. In Rule 27—

- (i) In clauses (a) and (b), entry ‘L.9’ shall be inserted after the entry ‘L.8’;
- (ii) In clause (b), entry ‘L.2A’ shall be inserted after the entry ‘L-1.C’;
- (iii) In clause (d), entry ‘L.9’ shall be inserted after the entry ‘L.5A’.
- (iv) After clause (b), the following new para shall be added, namely :—

“The license fee for running additional premises by the holder of a license in form L.3, L.4, L.5 (combined) and for the additional godown of L.13 are also specified in Schedule ‘A’.”

18. In Rule 31 in the proviso, for the figures and signs ‘36(26)(vii)’ the figures and signs ‘36(24)(vii)’ shall be substituted.

19. In Rule 34 clause (a), after the words ‘or by calling tenders’, the words ‘or by renewal’ shall be inserted.

20. Heading ‘F’ and the subsequent rule 35 shall be substituted by the following, namely:—

“F. Allotment or renewal or auction-cum-tender.

35. Allotment or renewal.

(1) Subject to rule 34 of these rules, the following licenses shall be granted by allotment or renewal on the fixed fee :—

- (i) A license in form L.2 for retail vend of foreign liquor to the public only and wholesale vend to licenses in form L.3, L.4, L.5, L.3A, L.4A, L.5A, L.12A, L.12B and L.12C, for consumption off the premises.
- (ii) A license in form L.14 for retail vend of country spirit for consumption on and off the premises; also allowed to sell foreign liquor only in rural areas.
- (iii) A license in form L.14-A for retail vend of country spirit for consumption off the premises; also allowed to sell foreign liquor only in rural areas.
- (iv) A license in form L.20-B for manufacture and retail vend of country-fermented liquor.

(2) The licenses shall be granted by inviting applications for each vend or pre-determined combination of vends termed as 'unit'.

(3) The Excise and Taxation Commissioner-cum-Financial Commissioner (Excise) shall, through a public notice, notify the date, time, manner and place at which the applications for allotment or renewal shall be filed by the intending person/ licensees.

(4) A license shall be granted for a financial year *i.e. w.e.f.* 1st April to 31st March or part thereof. The government may, if expedient in public interest give option to the allottee for continuation of license for the next year on the levies fixed for that year.

(5) The rates of application fee, renewal fee, basic license fee and the rates of license fee applicable on different kinds of liquor and other levies shall be such as specified in Schedule 'C'.

(6) Application for allotment or renewal of license—Application for allotment or renewal of a liquor license shall be made on the prescribed form as specified in Schedule 'D', which may be obtained from the office of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the District, or the Addl. Excise & Taxation Commissioner/Dy. Excise & Taxation Commissioner of the Zone concerned free of cost—

- (i) A list of retail sale liquor vends or group of vends formed as unit, for which the Collector proposes to grant license by allotment or renewal shall be exhibited on the office notice board alongwith vend wise basic license fee, minimum guaranteed quota, the annual license fee, other levies as applicable, security amount and the earnest money at the office of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer, I/c of the District concerned.
- (ii) The application for allotment/renewal complete in all respects shall be submitted to the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer, I/c of the District concerned during such period or by such date and time as may be notified by the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise) by public notice to be published in the news papers having circulation in the area.

Explanation.—(i) “The basic license fee” means part of consideration for the grant of license for the exclusive privilege of retail sale of liquor.

(ii) “Minimum Guaranteed Quota (MGQ)” means annual quota of country or foreign spirit as fixed for each vend/unit.

- (iii) “Annual license fee” means the total sum calculated by multiplying the quantity of MGQ of country liquor and foreign spirit with the rates of license fee fixed for country liquor and Indian Made Foreign Spirit and then adding the two. The rates of license fee in respect of imported foreign spirit, bottled in India (B.I.I.) or bottled in Original (B.I.O.) shall apply only if such spirit is actually lifted by the licensee and the quantity of such spirits lifted shall be counted towards lifting of minimum guaranteed quota. In case the licensee lifts foreign spirit B.I.I. or B.I.O., at the specified higher rates of license fee, the amount of license fee paid at the rates over and above the rates fixed for I.M.F.S., shall be in addition to the fixed annual license fee payable by the licensee.

(7) The Excise and Taxation Commissioner-cum-Financial Commissioner (Excise) may, if no application is forthcoming in respect of a vend or a group of vends or if it is expedient to do so in the interest of revenue, grant these licenses, alone or in combination with any other license for any vend or group of vends by resorting to any of the modes.

21. After rule 35, the following new rules ‘35-A’ and ‘35-B’ shall be inserted namely,—

“35-A. Allotment of licenses.

(1) Eligibility conditions for the applicants: —

(a) The applications for the allotment shall only be filed by the following:—

- (i) an individual; or
- (ii) a body incorporated under the Indian Companies Act; or
- (iii) a society registered under the Himachal Pradesh Co-operative Societies Act; or
- (iv) a partnership firm; or
- (v) a Hindu undivided family.

(b) When a Company or Society or Hindu undivided family referred to in sub clauses (ii), (iii) and (iv) of clause (a) above, applies for the allotment of a vend/unit, it must authorize an individual to act as an agent on behalf of the applicant, who shall be amenable in full to the Criminal Courts in India.

(c) An individual applicant should fulfill the following conditions to be eligible to file an application for the allotment of a vend/unit:—

- (i) He should be a citizen of India.
- (ii) He should have attained the age of 21 years on the day of filing of application.
- (iii) He should not have been blacklisted or debarred from holding an excise license under the provisions of any rules made under the Panjab Excise Act 1914, as applicable in the State of Himachal Pradesh. Any person, who has been convicted of any excise offence by any court of law unless finally acquitted, shall be automatically debarred from holding the license.
- (iv) He should not be a defaulter of any Government dues and should have cleared all the arrears, if any, due to be paid by him upto the date of filing of application for allotment.

- (v) He should possess good moral character and should have no criminal back ground nor should have been convicted of any offence punishable under any taxation statute in Himachal Pradesh.
- (d) The conditions of eligibility mentioned in clause (c) above shall apply to all the partners in the case of a partnership firm, every member of any other association of persons mentioned in clause (a) above, Karta of a Hindu undivided family and every individual acting as an agent on behalf of the applicant in other cases.
- (e) In addition to the conditions mentioned in clause (c), each applicant must fulfill the following conditions:—
 - (i) He should be solvent and should have the necessary funds or should have made arrangements for the necessary funds, for conducting the business the details of which shall be made available to the licensing authority, if required, and the value of the assets held by him as declared in Form 'A' attached to the application form, should be atleast 15% of the annual license fee of the vend/unit for which the application is filed.
 - (ii) He should possess or should have an arrangement for taking on rent suitable premises in the specified locality for opening the vend in accordance with the provisions of Himachal Pradesh Liquor License Rules, 1986 and that the proposed premises should not have been constructed in violation of any law or rules.
 - (iii) He should agree not to employ any salesman or representative who has criminal background as mentioned in clause (iii) of clause (c) above or who suffers from any infectious or contagious diseases or is below 21 years of age.
- (f) An applicant shall not be allowed to file more than one application for the same vend/unit.
- (g) An individual should not be a partner in more than four applicant partnership firms.

Notwithstanding anything to the contrary contained in rule 8 of these rules, in the case of licenses granted by allotment, no withdrawal of any partner shall be allowed but only addition of partners can be allowed. All the partners shall be jointly and severally liable to meet the liabilities.

(2) The applicant is required to submit following documents alongwith the application of allotment:—

- (i) a bank draft drawn in favour of the AETC/ETO Incharge of the district or the Excise & Taxation Commissioner issued from a Scheduled bank as earnest money which shall be equal to 10% of the basic license fee fixed for the vend/unit. In case the applicant is selected as licensee, the earnest money shall be adjusted against the basic licence fee. In other cases it shall be returned as such to the applicant as soon as the selection process is over.
- (ii) declaration of solvency in form 'A' attached to the application form.

- (iii) an affidavit, specimen of which is given in form 'B' attached to the application form.
- (iv) two latest photographs alongwith proof of residence in the form of copies of voter Identity Card/Ration Card.

(3) The Asstt. Excise and Taxation Commissioner/Excise and Taxation Officer I/C. of the District shall examine the applications received by him to verify as to whether the applications are correct and complete. He will also examine the eligibility of the applicants and thereafter prepare a list of all applications received by him with a summary report indicating therein the number of correct and complete applications of eligible applicants as well as the number of applications found otherwise for placing the same before the Selection Committee. He will also indicate in the list, the reasons for finding an application incorrect or incomplete or for finding an applicant ineligible. The Asstt. Excise and Taxation Commissioner/Excise and Taxation Officer I/C of the District on the office notice board shall display the details of the incorrect and incomplete applications or those filed by the ineligible persons before the date fixed for allotment/draw of lots.

(4) An applicant who has been declared as ineligible or whose application has been found incorrect or incomplete by the AETC/ETO Incharge of the District, may make a representation to the Selection Committee before the start of the process of allotment for consideration by it. The decision of the Selection Committee on such a representation shall be final and binding on the parties.

(5) The Selection Committee at the district level shall consist of the concerned Deputy Commissioner of the District, Collector (Excise) of the zone, Asstt. Excise and Taxation Commissioner/Excise & Taxation Office In charge of the District and any other gazetted officer of the Department nominated by the Excise and Taxation Commissioner. During the currency of year, if contingency of re-allotment of vend arises, the Selection Committee shall consist of the Collector (Excise) of the Zone, Asstt. Excise & Taxation Commissioner I/C of the District concerned and one Excise & Taxation Officer nominated by the Collector (Excise).

(6) The Selection Committee shall select the successful allottee from the list of applicants. In case more than one applicant is found eligible for any particular vend/unit, the Committee shall select the successful allottee for such vend/unit by way of draw of lots. The applicant or holder of Power of Attorney is required to be present at the time of selection of successful allottee so as to complete certain formalities. While drawing lottery a panel of two more applicants shall be prepared who will be given option to operate the vend in succession according to their position in the panel, in case the original allottee fails to run the same as per the terms of allotment. This panel will be valid till the expiry of the period of license. In case the applicants placed in the panel refuse to operate the vend the same will be re-allotted as per the prescribed procedure.

(7) In case there is no applicant for a particular vend/unit, the Collector shall take necessary steps for the resettlement of such vend/unit. Firstly, the applicants present shall be informed of all those vends in respect of which no application has been received. The Collector shall invite offers from all the present applicants for such vends on the prescribed application form and on receipt of the same, the process of allotment in respect of these vends shall be resorted to as per the procedure. In case there still remain some vends in respect of which no application is received, the Excise and Taxation Commissionercum—Financial Commissioner (Excise) shall decide the mode or manner of allotting such vend(s)/unit(s) as per para 1.2.

(8) A successful allottee shall be required to pay 50% of the basic license fee as prescribed in Schedule 'C'. in cash or through a demand draft drawn at a local Scheduled bank on

the day of allotment failing which the vend/unit in question shall be allotted to the next person in the panel. The remaining 50% of the basic license fee shall be paid in a Govt. Treasury within seven days from the date of allotment or before 31st March whichever is earlier. The basic license fee shall be in addition to the annual license fee.

(9) The successful allottee shall also be required to pay 5% of the amount of annual license fee on the day of draw of lots in cash or through a demand draft drawn on a local Scheduled bank. This amount shall be adjustable against the license fee for the month of April 2009. The annual license fee shall be at the rates as prescribed in Schedule 'C' taking into account the annual Minimum Guaranteed Quota of country liquor and foreign spirit fixed for the vend/unit.

(10) A list of all the successful allottees who have paid 50% of the basic license fee and the 5% of the annual license fee as mentioned in sub-rule (8) and (9) above, shall be forwarded by the AETC/ETO Incharge of the District to the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise) through the Collector (Excise) of the Zone concerned for confirmation, who reserves the right to deny any proposal for confirmation without assigning any reason for doing so.

(11) If the confirmation from the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise) is not received by 31st March, the Collector (Excise) may assume that the Financial Commissioner (Excise) has accorded confirmation for allotment.

(12) The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the district shall display on the notice board, the list of the successful allottees whose offers for allotment have been confirmed and also a list of those whose offers have not been confirmed by the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise) Himachal Pradesh, soon after receiving the communication of confirmation/ non-confirmation.

(13) If the allotment in respect of any vend/unit made by the selection committee is rejected or not confirmed by the Financial Commissioner (Excise), the deposits of basic license fee/security made by the concerned applicant(s) as mentioned in sub-rule (8) and (9) above, shall be refunded to such applicant without any interest thereon. Deposit of security shall confer no right on the applicant for the grant of a license.

(14) If any person who has been allotted vend/unit fails to make deposit of the amount of basic license fee/security or on confirmation of the allotment by the Financial Commissioner (Excise) refuses to accept the license, the license may be resold by any arrangement mentioned in rule 34 and such allottee shall not be entitled for refund of any amount he has deposited or shall not be entitled to any other claim.

(15) The successful allottee shall also be required to furnish a security equal to the 10% of the annual license fee within seven days or 31st March whichever is earlier in the shape of cash or F.D.R. or Bank Guarantee duly pledged in favour of Asstt. Excise & Taxation Commissioner, I/C or Excise & Taxation Officer I/C of the District. This security amount shall only be released after the close of the financial year and only after the final settlement of all the Government dues. This security amount can also be released after 1st March provided whole license fee and other dues including penalties, if any, for the year are deposited by the licensee. If successful allottee fails to furnish F.D.R or Bank Guarantee or cash within stipulated time, the amount of 5% of the license fee deposited under sub-rule (9) on the day of draw of lots, shall be forfeited to the Government and the vend shall be allotted to the next person in the panel or as per the procedure prescribed.

(16) A successful allottee will also furnish two sureties who own immovable property in Himachal Pradesh, equal to the amount of two monthly instalments *i.e.* 17% of the total license fee.

(17) The Collector (Excise) of the Zone concerned shall issue the license in favour of a successful allottee who has completed all the formalities mentioned in the forgoing paras and allotment made by the Selection Committee in his favour has been confirmed by the Excise & Taxation Commissioner-*cum*- Financial Commissioner (Excise).

(18) In the event of the cancellation of the license for retail vend of foreign liquor/country liquor, the Collector (Excise) may re-allot it by making offer to the 2nd /3rd panellist drawn at the time of allotment or may proceed further as per the directions of the Excise & Taxation Commissioner. Any loss caused to the Government by re-allotment of the vend shall be recoverable from the out-going licensee.

(19) In the event of death of a sole proprietor, the Collector (Excise) may allow the legal heir(s) to continue the license for the remaining period, provided that the legal heir(s) are otherwise eligible to hold the license.

(20) If a licensee held by a partnership firm, in the event of death of a partner, the survivor(s) and the legal heir(s) of the deceased or in the eventuality of death of all the partners their legal heir(s), if otherwise eligible, may be allowed by the Collector (Excise) to hold the license for the remaining period of the financial year.

(21) If a sole proprietor who holds a license wants to enter into partnership with other person(s), the Collector (Excise) may allow such other person(s) to become partner(s) on a joint application made to him, if such other person(s) is otherwise eligible to hold a license, subject to payment of a sum equal to 2% of the basic license fee per person into Govt. treasury. Similar procedure shall be followed in case the partners of a partnership firm want to add more person(s) as partner(s).

(22) The licensee shall be required to lift the Minimum Guaranteed Quota as fixed for each vend failing which he shall still be liable to pay the license fee fixed on the basis of the minimum quota. In addition to the payment of license fee on the un-lifted Minimum Guaranteed Quota the licensee shall also be liable to pay additional fee at the rate of Rs.20/- per proof litre on the un-lifted quota, which falls short of 80% of the Minimum Guaranteed Quota. The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the district shall review the position of lifting of Minimum Guaranteed Quota on monthly basis. If he finds that the licensee has failed to lift 80% of the annual Minimum Guaranteed Quota by 15th of March and after hearing then licensee comes to the conclusion that the licensee will not be able to make up the deficiency by 31st March, he shall proceed to recover the amount of the additional fee as mentioned above.

(23) Payment of license fee:

- (a) The minimum guaranteed quota and the corresponding annual license fee shall be divided into twelve monthly installments.
- (b) The recovery of license fee shall be linked with the lifting of Country Liquor and Foreign Spirit quota. The licensee shall deposit the license fee into the Government treasury before obtaining the excise pass for issue of liquor from the wholesaler.
- (c) In case the licensee is unable to lift the Minimum Guaranteed Quota within a month he shall still be required to pay the full installment of license fee for that month which shall be paid by the last day of the month provided that the

last installment for the month of March shall be paid in full by the licensee by 15th of March. However, less quota lifted in any month can also be issued in the subsequent month on application by the licensee in respect of which the license fee stands deposited.

- (d) In case the licensee lifts more than the Minimum Guaranteed Quota, the license shall be at liberty to adjust such excess quota in the subsequent month for the purposes of payment of license fee.
- (e) The licensee shall be required to deposit license fee at the rates specified in Schedule 'C' in respect of other kinds of liquor like beer etc. into Govt. Treasury, for which no minimum guaranteed quota has been fixed, before obtaining excise pass. This license fee shall be in addition to the annual license fee determined on the basis of minimum guaranteed quota for Country Liquor and Foreign Spirit and shall be payable on the basis of actual quantity of such liquor lifted.

(24) (a) In the event the licensee fails to make the payment of deficient amount of license fee as mentioned in sub-rule (23) by the due date, the licensee shall pay on the amount which remains unpaid, interest at the rate of 10% per annum for a delay of upto one month from the date of default. If the default in payment of license fee exceeds one month, such licensee shall pay interest @ 18% per annum on the unpaid amount from the date of expiry of one month's period from the first date of default.

Explanation:—For the purpose of this sub-para, the date of payment shall be included in the period for which interest is to be charged.

- (b) No interest shall be charged on interest.
- (c) If the licensee fails to deposit the license fee plus interest, as the case may be, upto the last day of the next month, or the last instalment by 15th March, the Assistant Excise & Taxation Commissioner/Excise and Taxation Officer, Incharge of the district, or any other officer authorized or directed by him would ordinarily seal the vend on 1st day of the following month or 16th March as the case may be. This shall be in addition to the penalty provisions that may be brought into operation against the licensee under the Punjab Excise Act, 1914, and the rules framed thereunder.

(25) Additional Quota:

The Excise and Taxation Commissioner Himachal Pradesh, at his sole discretion and after the licensee has paid full amount of annual license fee and lifted the annual Minimum Guaranteed Quota in full, may grant an additional quota of Country Liquor and Foreign Spirit,—

- (a) upto 15% of the Minimum Guaranteed Quota with 25% of the prescribed license fee;
- (b) beyond 15% upto 50%, at the rate of 50% of the prescribed license fee; and
- (c) above 50% at the full rate of license fee.

(26) Conversion of quota of Country Liquor into Foreign Spirit and Vice Versa:

The conversion of quota of Country Liquor into Foreign Spirit and vice versa for the year 2009-10 may be allowed by the Collector (Excise) of the Zone concerned on application of the licensee of a particular vend on the basis of the following formula:—

(a) From Foreign Spirit to Country Liquor = $\frac{\text{Required Quota} \times \text{L. fee of FS}}{\text{L. fee of Country Liquor quota}}$ = Converted

(b) From Country Liquor to Foreign Spirit = $\frac{\text{Required Quota} \times \text{L. fee of C.L.}}{\text{L. fee of Foreign Spirit quota}}$ = Converted

(27) No remission of license fee realizable from the licensees shall be allowed, except in accordance with the provisions of law, and no representation from licensed vendors for grant of relief on account of sale falling short of their expectations shall be entertained.

(28) *Maximum Retail Price.*—The Excise & Taxation Commissioner, Himachal Pradesh may fix the maximum as well minimum retail sale price of Country Liquor, IMFS and Beer as required. The maximum retail price as fixed by the Excise & Taxation Commissioner shall be printed on the labels of bottles or containers of liquor. The licensee shall not charge from consumers more than the maximum retail price printed on labels of bottles or containers of liquor.

(29) *Disposal of balance stock left at the expiry of the license.*—Entire quota of liquor lifted by the licensee during the year shall have to be sold during the validity of his license and the licensee shall not be permitted to sell it after expiry of license. Any balance quota of liquor found outstanding and unsold at the expiry of the term of license shall be deposited in accordance with sub-rule (32) to (34) of rule 37. However, the transfer of liquor from the outgoing licensee to the incoming licensee in such eventuality shall not affect the liability of payment of license fee of the both licensees.

35-B. Renewal of licenses:—

(1) Subject to the approval of the State Government, the retail sale licenses in form L.2, L-14, L-14A and L-20B may be renewed for the succeeding year in favour of the licensees holding these licenses for a particular year.

(2) The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/c of the District shall prepare details of all the vends/units which shall be available for renewal in consultation with the Collector (Excise) of the Zone. The details shall be displayed at the notice board of the office of the AETC/ETO I/C of the District by atleast 2 clear days prior to the first day of the receipt of applications.

(3) The licensee shall be required to file application for renewal on the prescribed proforma as contained in Schedule 'D'. If a licensee holds more than one vend/unit for the year 2008-09 in any one or more districts in the State, he shall be required to exercise the option of renewal in respect of all the vends/units held by him in the State. It shall not be open to the licensee to choose one or more particular vend(s)/unit(s) for renewal and leave the others. If a licensee does not apply for the renewal of any or some of the vend (s)/unit(s), renewal shall not be granted to him in respect of the other vend(s)/unit(s) also for which he might have applied for renewal. This condition shall not apply in the case of any unit whose constitution is changed, for the year for which the renewal is being sought.

(4) All applications for renewal shall be submitted to the AETC/ETO I/c of the District on or before the date as may be notified by the Excise and Taxation Commissioner-cum-Financial Commissioner (Excise).

(5) The applicant shall deposit renewal fee for each vend, 50% of the basic license fee for each licensing unit at the rates specified in Schedule 'C' and 5% of the annual license fee as determined under subrule (9) of rule 35-A before submission of application for renewal and attach proof of such payment alongwith the application. The 5% annual license fee so paid shall be adjusted against the instalment of annual license fee payable for the month of April, if the renewal is granted.

(6) The licensee shall be bound to accept the minimum guaranteed quota and other levies and terms and conditions as are fixed/prescribed for the vend/unit. The licensee should not be a defaulter of Government dues and should have cleared all the arrears, if any, due to be paid by him upto the date of filing of application for renewal.

(7) Renewal shall be allowed only where formation of vend/unit is not changed. But regularization of a sub-vend attached with vend/unit during the preceding year shall not be considered as change in the formation. Closure of a vend(s) in a particular unit will also not be considered a change in the constitution of the unit provided the Minimum Guaranteed Quota of the unit is not lowered.

(8) Renewal shall be allowed only if the constitution of ownership of license is not changed for the year for which renewal is sought.

(9) The licenses in respect of vends/units whose allotment/renewal for the preceding year was disputed and are still under litigation till the last date of submission of application(s) for renewal, shall not be renewed.

(10) The licensee shall not be denied the opportunity for renewal of a license for retail sale of liquor merely on account of change in the existing premises of a particular vend in a local area as may be necessary because of any reason.

(11) The AETC/ETO I/C of the District will scrutinize the applications and if found in order shall forward the same alongwith his recommendations to the Collector (Excise) of the Zone alongwith a list of all the applicants whose applications have been found in order.

(12) The Collector (Excise) after re-examining the applications shall seek prior confirmation of renewal from the Excise and Taxation Commissioner-cum-Financial Commissioner (Excise), who reserves the right to reject any application for renewal without assigning any reason for doing so.

(13) If the confirmation from the Excise and Taxation Commissioner-cum-Financial Commissioner (Excise) is not received by 31st March, the Collector may assume that the Financial Commissioner has accorded confirmation for the renewal.

(14) The AETC/ETO I/C of the District shall also forward the application(s) which have been found by him to be incomplete or suffering from some other defects, to the Collector (Excise) of the Zone, who shall re-examine the application(s) and take further decision thereon.

(15) The offer of renewal shall not confer any right on any existing licensee and despite fulfilment of all conditions mentioned herein by any licensee, the Excise & Taxation Commissioner shall be competent to reject offer of renewal in respect of any vend/unit in the interest of Government revenue.

(16) The unsold balance stock of liquor in the vend as on 31st March of preceding year shall be counted towards the Minimum Guaranteed Quota for the succeeding year and license fee

shall be charged on that stock at the rates prescribed for the succeeding year but no excise duty and VAT shall be charged.

(17) In all matters not specified in this chapter the conditions governing the allotment of vends contained in Chapter II shall apply *mutatis mutandis*."

22. In rule 37 sub-rule (31) the existing para appearing after the third proviso shall be substituted by the following new para, namely,—

"In the case of Indian Made Beer, the capacity of bottles/cans shall be 650 mls or 500 mls or 330 mls."

23. In Rule 38—

(1) In sub-rule (1)—

- (a) letter, sign and figure 'L.1' appearing in clauses (a) and (b) shall be deleted.
- (b) In clause (b) the word, letter, sign and figure ' or L.1-C' shall be substituted by the sign, letter, figure and word ' , L.1-C, L.1-BB, S.1-B or S.1-A'.

(2) In sub-rule (1-A)—

- (a) the words 'and retail' appearing after the word 'wholesale' shall be deleted.
- (b) the existing clause (c) shall be substituted by the following, namely,—
 - “(c) The licensee shall transfer foreign liquor to L.1-C only after depositing duty on such liquor in the Government treasury/sub-treasury at the prescribed rates.”.
- (c) Clause (d) shall be deleted.

(3) Sub-rule (1-AA) shall be deleted.

(4) The existing sub-rule (1-B) shall be substituted by the following, namely :—

“(1-B). A license in form L-1B for the wholesale vend of foreign liquor to L-1 vends only .—

- (i) The licensee shall function as a stockist in respect of the brands of liquor manufactured by his distillery, bottling plant or brewery only, and he shall sell liquor to the L.1 license holders only.
- (ii) The licensee shall furnish security of Rs. 2,00,000/- in the shape of a fixed bank term deposit or National Saving Certificates duly pledged in favour of the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise), or bank guarantee from a Scheduled Bank.
- (iii) The licensee shall not sell any brand of liquor unless such brand has been registered with the Financial Commissioner (Excise) on payment of Rs. 7500/- per brand and has been allotted a registration

number for such brand. No pass for sale of any un-registered brand shall be issued.”

(5) The existing sub-rule (1-BB) shall be substituted by the following, namely:—

“(1-BB). A license in form L.1BB for the wholesale vend of imported liquor to other wholesale and retail sale licenses in form L.1, L.2, L.3, L.4, L.5, L.3A, L.4A, L.5A, L.10.BB, L.12A, L.12.B and L.12C only—

- (i) the licensee shall sell bottled imported foreign liquor in sealed and capsuled bottles only;
- (ii) the licensee shall obtain supplies of bottled imported foreign liquor (BIFL) from out side India or through the sources approved by the Financial Commissioner;
- (iii) the licensee shall not sell brands of imported foreign liquor unless such brands have been registered with the Financial Commissioner on payment of Rs. 2500/- per brand in case of all liquor excluding wine and cider and in the case of wine or cider on payment of Rs. 100/- per brand;
- (iv) the licensee shall get the approval of the brands renewed before 15th of April in each year;
- (v) the licensee shall furnish security of Rs. 1,00,000/- in the shape of a fixed bank term deposit or National Saving Certificates duly pledged in favour of the Excise & Taxation Commissioner-cum-Financial Commissioner (Excise), or bank guarantee from a Scheduled Bank.”

(6) In sub-rule (1-C), the existing clause (b) shall be substituted by the following, namely :—

“(b) condition (i) and (iii) for license in form L.1B shall apply *mutatis mutandis*.

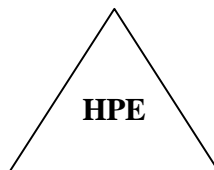
(7) In sub-rule (2)—

- (a) in clause (c) after the words ‘any’ the letters, signs and figure ‘L.1AA and S.1’ shall be substituted by the letters, signs and figure ‘L.1, L.1BB and S.1A’;
- (b) the proviso after clause (c) shall be deleted.

(8) The existing sub-rule (2-A) shall be substituted by the following sub-rule, namely:—

“(2-A) Supplementary license in form L-2A (Ahata) for retail vend of foreign liquor to the public only for consumption ‘on’ the premises:—

- (a) The license shall be granted only to the holder of a L-2 license by the Collector (Excise) of the concerned zone on application on fixed annual license fee as prescribed;
- (b) The licensee shall run the vend on the premises in or adjoining the premises of L-2 vend to which L-2A vend (Ahata) is attached. Where the premises are not so provided, an L-2A vend shall not be approved by the Collector (Excise);

- (c) The license shall only be granted if the following conditions are fulfilled:—
- (i) The licensee should have atleast 200 Sq.ft. area in the rural area to run a ‘Ahata’ and atleast 150 Sq.ft. area in the rural area with seating capacity of atleast 30 and 20 persons respectively;
 - (ii) He should possess proper seating arrangements like chairs, tables or benches for the consumers with enough of circulation area;
 - (iii) The ‘Ahata’ should have proper ventilation with toilet facilities;
 - (iv) The licensee should provide neat and clean crockery etc. to the consumers.
 - (v) The licensee shall also provide proper cover to the customers drinking on the premises of the L-2A vend, so that they are not visible to public from outside the vend.
 - (vi) The sale for consumption on the premises shall be by duly stamped peg measures of 60 mls and 30 mls in the case of foreign liquor and in case of beer by bottle/can of 650 mls, or 500 mls or 330 mls.
 - (vii) Foreign liquor to be sold for consumption shall be of the prescribed strength in each case, and its supplies shall be obtained from the concerned main L-2 vend only;
 - (viii) The license shall not be run on the premises used as hotels and restaurants.”
- (9) In sub-rule (11)—
- (a) after the words ‘ Indo-Tibetan Border Police’ the words “or Suraksha Sena Bal” shall be inserted wherever occur.
 - (b) In clause (e) for the existing words and signs ‘conditions (c) and (d)’ the words and signs ‘condition (iii), shall be substituted.
- (10) In sub-rule (11-A) before clause (a) the following entry shall be inserted, namely—
- “A license in form L.9A for retail vend of foreign liquor exclusively for sale of liquor to exservicemen (Supplementary to license in Form L.9) :—”
- (11) The existing sub-rules (13) and (14) shall be deleted.
- (12) In sub-rule (15)—
- (i) In clause (g) sub-clause (i) before item (a) the following shall be added—
- “The foreign spirit shall be bottled in bottles of following sizes :— ”
- (ii) In clause (g) sub-clause (ii), the existing item “(a)” shall be substituted by the following, namely,—
- “(a) the specification of the capacity of bottle and the words “H.P. Excise” shall have a monogram, moulded or sandblasted, on them in a triangle *e.g.* ”
- 

HPE
- (iii) In clause (k)—
- (a) in sub-clause (i), the existing words “symbol of vegetarian or non-vegetarian” shall be deleted.

(b) in sub-clause (ii), before item ‘(a)’ the words and signs “The following shall appear in English on the labels” shall be inserted.

(c) In sub-clause (ii) after item ‘(h)’, the following new item (i) shall be added :—

“(i) Symbol indicating vegetarian or non-vegetarian.”

(13) In sub-rule (20) before clause (a), the following entry shall be inserted, namely :—

“A license in form L.13 for the wholesale vend of country spirit:— ”

(14) Sub-rule (20-A) shall be deleted.

24. In rule 39, in clause (i) the word and entry “and L.29” shall be deleted.

25. The existing Schedule ‘A’ appended to the said rules, shall be substituted by the following Schedule, namely:—

SCHEDULE ‘A’
[See clause (b) of rule 27]

Sr. No.	Particulars of license	Rates of fixed fee per annum.
1	2	3
1.	L.1 for the vend of foreign liquor to the trade only.	Rs. 2,00,000/-
2.	L.1-A for the storage of foreign liquor in- bond combined with whole sale vend of foreign liquor to the trade only, and for a license in form L.11 to bottle foreign liquor.	Rs. 75,000/-
3.	L.1-B Licenses	(i) Rs. 1.50 per proof litre on Foreign Spirit and Re. 0.50 per B.L. on RTD Beverages subject to minimum of Rs. 50,000/-
	(i) for wholesale vend of foreign liquor manufactured out side the State, to L.1 vend only.	
	(ii) for wholesale vend exclusively for Beer, manufactured out side the State, to L.1 vend only.	(ii) Re. 0.50 per bulk litre subject to minimum of Rs. 30,000/-
4.	L.1-BB for wholesale vend of imported foreign liquor) from outside India to L.1, L.2, L.3, L.4, L.5, L.3A, L.4A, L.5A, L.12A, L.12B & L.12C license holders only.	(i) Rs.23/-per proof litre of Foreign Spirit; and (ii) Rs. 4.67 per bottle of 650 mls. Capacity or Rs.7.20 per bulk litre of Imported; and Beer with alcoholic content upto 5% v/v (iii) Rs. 7.67 per bottle of 650 mls capacity or Rs.11.80 per bulk litre of imported Beer with alcoholic content above 5% v/v but not exceeding 8.25% v/v; and (iv) Rs. 3/- per bulk litre of Imported wine containing alcoholic contents upto 20% v/v; and (v) Rs. 5/- per bulk litre of Imported wine containing alcoholic contents above 20% v/v but not exceeding 30% : Subject to a minimum of Rs. 25,000/- per annum.

5.	L.1-C for wholesale vend of foreign liquor to L.1 vend only by the manufacturers within the State.	Rs. 2,25,000/- per annum.	
6.	L.2-A (Ahata) for retail vend of foreign liquor to the public only for consumption 'on' the premises (supplementary to a license in form L.2)	Rs. 10,000/- per Ahata	
7.	L.14-C (Ahata) for retail vend of liquor to the public only for consumption 'on' the premises (supplementary to a license in form L.14)	Rs. 5,000/- per Ahata	
8.	L.3, L.4 and L.5 (combined) for the vend of foreign liquor in a hotel or dak-banglow, restaurant and a bar attached to a restaurant for consumption 'on' the premises as per locations mentioned below—	For hotels where number of room is :— 10 to 50 > 51	
	(a) (i) Shimla town including Kasumpti, New Shimla, Khalini, Vikasnagar, areas along National Highway upto Parwanoo, Chharabra & Kufri	Rs. 0.75 lakh	Rs. 1.05 Lakh.
	(ii) Areas from Katrain to Kothi in Kullu District.	-do-	-do-
	(iii) All district headquarter towns and localities adjacent thereto in H.P (excluding Kinnaur and Lahaul and Spiti district headquarters) Palampur, Dalhousie, Chail and Kasauli.	-do-	-do-
	(b) All other areas.	Rs. 0.40 Lakh	Rs. 1.00 Lakh.
9.	L.4 & L.5 (Combined) for vend of foreign liquor in a restaurant and a bar attached to restaurant for consumption 'on' the premises and located in:		
	(a) Areas mentioned in 8(a)(i), (ii) & (iii)	Rs. 0.90 Lakh.	
	(b) Areas mentioned in 8(b)	Rs. 0.40 Lakh.	
10.	L.4-A & L.5A (combined) for the vend of beer in a restaurant and a bar attached to restaurant for consumption 'on' the premises and located in:		
	(a) Areas mentioned in 8(a) (i) (ii) & (iii)	Rs. 0.40 Lakh.	
	(b) Areas mentioned in 8(b)	Rs. 0.30 Lakh	
11.	Addl. License fee for each additional premises with L.3, L.4 & L.5 (combined) license under rule 18-A, first proviso.	Rs. 0.20 Lakh	
12.	L.9 for retail vend of foreign liquor in a Military Canteen including unit-run Military Canteens or those run regimentally on club lines and SSB or ITBP canteen.	Rs. 1,000/-	
13.	L.9-A for mobile retail vend of foreign liquor exclusively for sale of the liquor to ex-servicemen at a specific location (Supplementary to license in form L.9 in a Military Canteen including unit-run-Military Canteen or those run regimentally on club lines).	Rs. 1,500/- per location	
14.	L.10-BB for retail vend of beer, wine, cider and RTD beverages in a Departmental stores etc. for consumption 'off' the premises.	Rs. 15000/-	
15.	L.12 for the sale of medicated wine.	Rs. 50/-	
16.	L.12-A for the retail sale of foreign liquor at a bar attached temporarily to a theatre or cinema or other such place of entertainment.	(i) Minimum fees : Rs. 10/- per license or for licenses for more than a day, Rs. 5/- per diem, whichever is greater. (ii) Maximum Fees: Rs. 100/- per diem, or Rs. 300/- per mensum.	

17.	L.12AA for temporary license for the retail sale of foreign liquor for celebration of special occasions at a hotel/restaurant.	Upto 3 days = Rs. 2500/- For every additional day = Rs. 750/-		
18.	L.12 B for the retail vend of foreign liquor at a bar attached permanently to a theatre or cinema or other such place of entertainment.	Rs. 150/-		
19.	L.12-C for retail vend of foreign liquor at a club-			
	(a) Where the number of members is upto 100	Rs. 1000/-		
	(b) Where the number of members is above 100	Rs. 5000/-		
20.	(i) L.13 for the wholesale vend of country liquor.	Rs. 50,000/-		
	(ii) Each additional Godown of L.13.	Rs. 15000/-		
21.	L.17 for vend of denatured spirit with one time possession limits:—			
	(i) Upto 1000 Bls.	Rs. 1000/-		
	(ii) Above 1,000 Bls.	Rs. 2000/-		
22.	L.19 for the vend of Rectified spirit.	Rs. 100/-		
23.	L.20–C for manufacture and possession of Country Fermented Liquor for home Consumption	One year Rs. 10/-	5 years Rs. 50/-	10 years Rs. 100/-
24.	L.20-CC for manufacture of country liquor by distillation from fruits & grains for home consumption	One year Rs. 50/-	5 years Rs. 250/-	10 years Rs. 500/-
25.	L.20–D for manufacture and possession of Country Fermented Liquor for use on special occasions.	One year Rs. 10/-	5 years Rs. 50/-	10 years Rs. 100/-
26.	(i) L-50 Permit (for possession upto 18 bottles (13.50 Bls.) of Foreign Spirit and 36 bottles (23.40 Bls.) of Beer)	One year Rs. 150/-	3 years Rs. 300/-	Life time Rs. 2500/-
	(ii) L-50A Permit-	Rs. 250/-		
	(a) For possession upto 36 Bls of Foreign Spirit /C.L and 39 Bls of Beer.			
	(b) For lifting of quantity of liquor more than as specified in (a) to the satisfaction of the permit issuing authority.	Rs. 500/-		

26. The existing Schedule 'B' appended to the said rules shall be substituted by the following, namely:—

SCHEDULE 'B'

(See Rule 30)

(i) Rates of Assessed fee for licenses inform L.3, L.4, L.5, L.3A, L.4A, L.5A, L.12A, L.12B and L.12C

Sr. No.	Kind of liquor	Rate of assessed fee
1.	Foreign Spirit—	
	(i) Indian Made Foreign Spirit	Rs. 130.00
	(ii) Imported Spirit (B.I.I)*	Rs. 160.00
	(iii) Imported Spirit (B.I.O).**	Rs. 180.00

2.	Wine and Cider—	
	(i) Imported (B.I.O)	Rs. 30.00
	(ii) Indian Made (imported through the source of S-1B only and subsequently sold through L.1)	Rs. 20.00
3.	Beer—	
	(i) Imported (B.I.O)	Rs. 30.00
	(ii) Indian Made	Rs. 20.00
	(iii) Draught beer	Rs. 28.00
4.	Ready To Drink Beverages	Rs. 20.00

(ii) Rates of Assessed fee for licenses in form L-9.

Sr. No.	Kind of liquor	Rate of assessed fee per bulk litre
1.	(i) Indian Made Foreign Spirit—	
	(a) Rum	Rs. 60.00
	(b) Cheap and Regular	Rs. 65.00
	(c) Premium	Rs. 80.00
	(d) Deluxe including Imported Spirit (B.I.I.).	Rs.120.00
	(ii) Imported Spirit (B.I.O)	Rs.125.00
2.	Wine	Rs. 5.00
3.	Cider	Rs. 1.00
4.	Beer (i) Imported (B.I.O)	Rs. 11.00 per bottle of 650 mls
	(ii) Indian Made	Rs. 8.00 per bottle of 650 mls.

(iii) Rates of Assessed fee for licenses in form L.10.BB.

(a) Beer for L.10BB-	
(i) Imported (B.I.O.)	Rs. 27.00
(ii) Indian Made	Rs. 18.00
(b) Wine and Cider—	
(i) Imported (B.I.O)	Rs. 27.00
(ii) Indian Made (imported through the source of S-1B only and subsequently sold through L.1)	Rs. 18.00
(c) Ready To Drink Beverages.	Rs. 18.00

* B.I.I.—Bottled in India

** B.I.O.—Bottled in Original.

27. The existing Schedule 'C' shall be substituted by the following, namely :—

SCHEDULE 'C'
(See Rule 35 and 35-A)

The rates of Application fee for allotment, Renewal fee, Basic license fee and Annual license fee :—

(1) **Application** fee for allotment = Rs. 10,000/-

(2) **Renewal fee** per vend :—

Sr. No.	Value of vend	Renewal Fee
(i)	Upto Rs.15 lac	Rs. 15,000/-
(ii)	Above Rs. 15 lac upto Rs. 25 lac	Rs. 30,000/-
(iii)	Above Rs. 25 lac upto Rs. 50 lac	Rs. 45,000/-
(iv)	Above Rs. 50 lac	Rs. 60,000/-

(3) **Basic License fee—**

Sr. No.	Minimum Guaranteed Quota of the Unit	Basic license fee
1.	Upto 15000 Pls	Rs. 25,000.00
2.	Above 15000 to 25000 Pls	Rs. 35,000.00
3.	Above 25000 to 35000 Pls	Rs. 45,000.00
4.	Above 35000 to 45000 Pls	Rs. 55,000.00
5.	Above 45000 to 65000 Pls	Rs. 70,000.00
6.	Above 65000 to 80000 Pls	Rs. 80,000.00
7.	Above 80000 to 100000 Pls	Rs. 1,00,000.00
8.	Above 100000 to 200000 Pls	Rs. 2,00,000.00
9.	Above 200000 Pls	Rs. 5,00,000.00

(4) **License fee—**

Kind of liquor	Rate of license fee
Country Liquor	Rs. 105/- per proof litre.
Foreign Spirit—	
Indian Made Foreign Spirit	Rs. 140/- per proof litre.
Foreign Spirit (B.I.I)	Rs. 170/- per proof litre.
Foreign Spirit (B.I.O.)	Rs. 200/- per proof litre
Beer	
Indian Made	Rs. 18/- per bulk litre
Imported Beer (B.I.O)	Rs. 27/- per bulk litre.
Wine & Cider	
(i) Indian Made (imported through some of S-B and subsequently sold through L.1)	Rs. 18/- per bulk litre
(ii) Imported (B.I.O)	Rs. 27/- per bulk litre.
Ready To Drink Beverages	Rs. 18/- per bulk litre.

28. After Schedule 'C', the following new Schedule 'D' shall be inserted, namely :—

SCHEDULE 'D'**ANNEXURE- 'A'****EXCISE AND TAXATION DEPARTMENT
HIMACHAL PRADESH****APPLICATION FOR *ALLOTMENT/RENEWAL OF LICENSES IN FORM L.2, L.14,
L.14-A OR L.20-B FOR THE YEAR 2009-10**

(Separate Application Form to be submitted for each licensing Unit alongwith proof of payment of
**application fee in case of allotment or renewal fee in case of renewal)

Sr. No. _____

To

The Asstt. Excise and Taxation Commissioner/
Excise & Taxation Officer I/c
District-----

Sir,

I/we, (i) ----- (ii) ----- (iii) -----
----- (iv) ----- (Name(s))
request that I/we may be *allotted/renewed license(s) in form L-2, L-14, L-14A or L-20B vend(s)
for the year 2009-10 in respect of the following licensing Unit:—

Code No. & Name of the Licensing unit : No. _____ Name _____

Annual License Fee for 2009-10: Rs. _____ (in figures)
_____ (in words).

Details of the vends in the Unit

Sr. No.	NATURE AND THE LOCATION OF THE VEND(S)
1.	L-14/L-14A VEND(S)
	(I)
	(II)
	(III)
2.	L-2 VEND(s)
	(I)
	(II)
	(III)

* Strike out whichever is not applicable.

** Application fee for allotment: Rs. 10,000/- per licensing unit.

Renewal Fee per vend:

- | | | | |
|------|--|----|--------------|
| (i) | with annual license fee upto Rs. 15 lacs | -- | Rs. 15,000/- |
| (ii) | with annual license fee above Rs. 15 lacs upto Rs. 25 lacs | -- | Rs. 30,000/- |

(iii)	with annual license fee above Rs. 25 lacs upto Rs. 50 lacs	--	Rs. 45,000/-
(iv)	above Rs. 50 lacs	--	Rs. 60,000/-

2. I/we have enclosed a Demand Draft No.----- Dated ----- for Rs.-----, (equal to 10% of the basic license fee in the case of application for allotment or equal to 50% of the basic license fee in the case of application for renewal of the licensing Unit), drawn on ----- (name of the Bank) in favour of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer Incharge of the District -----.

3. Other particulars are given as under:—

- (i) Name of the Proprietor/ *Managing Partner/
Karta of HUF/Authorized person of a
Company/Society/ *Association of
Persons *(duly authorized)
- (ii) Father's/Husband's Name
- (iii) Whether applying (tick mark)
 - a) In Individual capacity
 - b) As Partner of a partnership firm
 - c) Karta of HUF
 - d) on behalf of Company/Association
of persons.
- (iv) Postal Address
- (v) Age
- (vi) Telephone No.
- (vii) PAN NO. (if possess)
(Attested copy attached herewith)
- (viii) Detail of properties
 - i)
 - ii)
 - iii)
 - iv)
 - v)

**(Proof in the form of copies of
Registered Deed/Fard etc. Attached).**
- (ix) Proof of residence
(Attested copy of voter ID Card/ Ration Card
attached)

* Attach copy of partnership deed alongwith authorization from other partners.

** In the case of Company, attach Article of Association and Memorandum of Association and authorisation.

*** In other cases, attach authorization from competent persons.

4. Recent photographs of all partners are submitted, one affixed below and another stapled/pinned with the application:
5. *The declaration of solvency based on value of assets in Form-‘A’ is attached.
6. The required affidavit(s) in Form-‘B’ is attached.
7. Signature(s) of the applicant(s) with their full name(s) and address(es):

	NAME (With father's/husband name)	Address	Signature
(i)			
(ii)			
(iii)			
(iv)			
(v)			

DATE:

PLACE:

* The value of assets as declared in Form-‘A’ should not be less than 15% of the annual license fee of the vend.

PART-1
(Slip for draw of lots)

Sr. No .

District.

Name of the first Applicant.

Detail of the vend(s) in the licensing Unit:—

Code No. of the Licensing Unit

Annual license fee

Rs.Lac

(2009-10).

SR. NO.	LOCATIONS OF THE VEND(S).
1.	L-14/L-14A
(i)	
(ii)	
(iii)	
2.	L-2 VEND
(i)	

Signature(s) of Applicant(s)

Signature

--	--	--

AETC. District I/ C.

E.T.O (circle)

ETI (circle)

PART-II
(Receipt)

Sr. No.

Received from Sh./Smt.----- S/O, W/O, D/O -----
 ----- R/O -----application along with earnest money of
 Rs. ----- Vide D.D. No.----- Dated-----drawn on -----
 ----- (Name of the Bank) and the requisite documents, for the grant/renewal of the
 following licensing Unit:—

Detail of the vend(s) in the licensing Unit: —

Code No. of the licensing Unit
2009-10

Annual license fee

SR. NO.	LOCATIONS OF THE VEND(S).
1.	L-14/L-14A vend(s).
(i)	
(ii)	
(iii)	
2.	L-2 Vend
(i)	
(ii)	
(iii)	

Date-----

Place -----

Signature of the receiving Official
With Office Stamp.

Time-----.

PART-III
(OPTION SLIP)

SR. NO.

DISTRICT.

Name of the first Applicant or Company/Firm.

I applied for the grant of a licensing Vends/Unit in the above mentioned district and was unsuccessful in the draw of lots held on My application may now be considered for the following Unit:—

Detail of the vend(s) in the licensing Unit:—

Code No.of the
Licensing Vend/
Unit.
Annual License fee
(2009-10)

Rs.Lac.

Sr. No.	LOCATION OF THE VEND(S).
1.	L-14/L-14A
(I)	
(II)	
(III)	
2.	L-2 Vend
(i)	
(ii)	

Earnest money already deposited may be treated as earnest money for the above mentioned licensing Unit. Cash receipt/DD No. _____ dated _____ for Rs. _____ paid to/drawn on _____ (name of the bank) is attached herewith, as a differential of the new licensing Unit (to be filled, if the original earnest money is less than the required earnest money).

Signature(s) of Applicant(s)

AETC.Dsitric I/C.	ETO(circle)	ETI (circle)

Note.—Signature of the departmental Officers/officials to be affixed on the date of draw of lots after the receipt of option slip from the applicant(s).

FORM-'A'

DECLARATION OF SOLVENCY BASED ON VALUE OF ASSETS
VALUE OF ASSETS OF AN INTENDING APPLICANT

1. Name _____
2. Father's Name _____
3. Full Permanent Address _____

4. Occupation _____
5. Telephone Number(s) _____

6. (A) Details of moveable properties:

Sr. No.	Description	Description	Value
1.	Bank Deposits		
2.	Vehicles		
3.	Shares/ Debentures etc.		
4.	Ornaments		
5.	Others		

6. (B) Details of immovable properties

Sr. No.	Description	Area/Quantity	Value
1.	Land		
2.	Building		
3.	Plant and machinery		

7. Total value of moveable and immovable assets (A+B)=

DECLARATION BY THE APPLIANT

I solemnly declare that the facts about my property stated above are correct and that the immovable property specified above is free from all encumbrances.

Place:

Signature of Applicant

Date:

FORM "B"

(Specimen of the affidavit to be furnished by an *applicant)

AFFIDAVIT

I ----- S/O, D/O, W/O -----
 ----- R/O -----
 ----- do hereby solemnly affirm and declare :—

- (i) That I possess or has an arrangement for taking on rent suitable premises in that locality for opening the shop in accordance with the provisions of Himachal Pradesh Liquor License Rules, 1986.
- (ii) That the proposed premises have not been constructed in violation of any law or rules.
- (iii) That I possess good moral character and have no criminal back ground nor have been convicted of any offence punishable under any taxation statute in Himachal Pradesh.
- (iv) That I shall not employ any salesmen or representative who has criminal background as mentioned in clause (iii) or who suffers from any infectious or contagious diseases or is below 21 years of age.
- (v) That I am not in arrears of any Government dues.
- (vi) That I am **solvent and has the necessary funds or has made arrangements for the necessary funds, for conducting the business, the details of which shall be made available to licensing authority if required.

* If there are more than one applicants, each applicant is required to file separate affidavit.

**Solvency is to be declared in Form "A" attached to the application form and the minimum value of their assets should be at least 15% of annual license fee of the vend/unit for which application submitted.

2. That I have not been convicted of any non-bailable offence by a criminal court.
3. That I have not held a license in Himachal Pradesh for sale of any intoxicant that was cancelled for failure to pay the license fees.
4. That I am not a defaulter under any of the Acts administered by the Excise & Taxation Department, Himachal Pradesh.
5. That I agree to abide by the provisions of the Punjab Excise Act, 1914 as applicable in Himachal Pradesh and the rules framed thereunder and the terms and conditions of the license which may be granted.

Place :

Deponent

Date:

Verification.

Verified that the above statement is true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

Attested.

Signature and Stamp of Notary Public.

By Order,
Sd/-

Excise & Taxation Commissioner.

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Ghumarwin,
District Bilaspur (H. P.)**

In the matter of :

1. Shri Brij Lal aged 30 years s/o Shri Roop Lal, r/o Village Rehda, P. O. Chalehli, Tehsil Ghumarwin, District Bilaspur (H. P.).
2. Smt. Chandra Sharma, aged 23 years d/o Shri Bali Ram, r/o Village & P. O. Bali Chowki, Tehsil Bali Chowki, District Mandi (H. P.) . . Applicants.

Versus

General Public

Subject.—Application for the registration of Marriage under section 16 of Special Marriage, Act, 1954 (Central Act) as amended by Marriage Laws (Amendment Act, 01) (49 of 2001).

Shri Brij Lal, aged 30 years s/o Shri Roop Lal, r/o Village Rehda, P. O. Chalehli, Tehsil Ghumarwin, District Bilaspur (H. P.) and Smt. Chandra Sharma, aged 23 years d/o Shri Bali Ram, r/o Village & P. O. Bali Chowki, Tehsil Bali Chowki, District Mandi Himachal Pradesh have filed an application alongwith affidavit in the court of under signed under section 16 of Special Marriage Act, 1954 (Central Act) as amended by Marriage Laws (Amendment Act 01) (49 of 2001) that they have solemnized their marriage on 12-1-2009 at Nahar Singh Temple Old Bus Stand Ghumarwin, District Bilaspur, Himachal Pradesh and they are living together as husband and wife since then. Hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court on or before 25-5-2009 after that no objection will be entertained and marriage will be registered.

Issued today on 24-3-2009 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Ghumarwin, District Bilaspur (H. P.).*

ब अदालत उप-मण्डल दण्डाधिकारी सदर, जिला बिलासपुर (हि० प्र०)

श्री निक्का राम पुत्र श्री बरतू, निवासी बन्दला, तहसील सदर, जिला बिलासपुर (हि० प्र०)

. . प्रार्थी ।

बनाम

सचिव, ग्राम पंचायत बन्दला, परगना व तहसील सदर, जिला बिलासपुर (हि० प्र०)

नोटिस बनाम आम जनता ।

श्री निक्का राम पुत्र श्री बरतू, निवासी बन्दला, तहसील सदर, जिला बिलासपुर (हि0 प्र0) ने इस न्यायालय में एक आवेदन-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु अधिनियम, 1969 के अन्तर्गत दायर किया है, जिससे उसने अनुरोध किया कि उसके लड़के व लड़की की जन्म तिथि ग्राम पंचायत अभिलेख में दर्ज नहीं है जिसे अब दर्ज किया जाये।

क्र0 संख्या	लड़के/लड़की का नाम	जन्म तिथि
1.	हेम राज	29-12-2007
2.	सवानी	20-12-2003
3.	संजना	19-08-2005

अतः सर्वसाधारण जनता को सूचित किया जाता है कि यदि उपरोक्त वर्णित बच्चों की जन्म तिथियों को ग्राम पंचायत अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह दिनांक 23-4-2009 को सुबह 10.00 बजे न्यायालय में स्वयं उपस्थित होकर प्रस्तुत कर सकता है। यदि उक्त जन्म के बारे में कोई आपत्ति प्राप्त न हुई तो यह समझा जायेगा कि उक्त व्यक्तियों के जन्म बारे किसी को कोई एतराज न है तथा इन्हें ग्राम पंचायत अभिलेख में दर्ज करने बारे आगामी आदेश पारित कर दिये जायेंगे।

आज दिनांक 9-3-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित /—
उप-मण्डल दण्डाधिकारी सदर,
जिला बिलासपुर, (हि0 प्र0)।

ब अदालत उप-मण्डल दण्डाधिकारी सदर, जिला बिलासपुर (हि0 प्र0)
श्री सदा राम पुत्र श्री नन्द लाल, निवासी पंडगल, तहसील सदर, जिला बिलासपुर (हि0 प्र0)
.. प्रार्थी।

बनाम

सचिव, ग्राम पंचायत नौणी, तहसील सदर, जिला बिलासपुर (हि0 प्र0)

नोटिस बनाम आम जनता।

श्री सदा राम पुत्र श्री नन्द लाल, निवासी पंडगल, तहसील सदर, जिला बिलासपुर (हि0 प्र0) ने इस न्यायालय में एक आवेदन-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु अधिनियम, 1969 के अन्तर्गत दायर किया है, जिसमें उसने अनुरोध किया कि उसके पिता की मृत्यु तिथि ग्राम पंचायत अभिलेख में दर्ज नहीं है जिसे अब दर्ज किया जाये।

क्र0 संख्या	पिता का नाम	मृत्यु तिथि
1.	नन्द लाल	9-2-2009 की जगह 10-2-2009 करने बारे।

अतः सर्वसाधारण जनता को सूचित किया जाता है कि यदि उपरोक्त वर्णित मृत्यु तिथि को ग्राम पंचायत अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह दिनांक 16-4-2009 को सुबह 10.00 बजे न्यायालय में स्वयं उपस्थित होकर प्रस्तुत कर सकता है। यदि उक्त मृत्यु के बारे में कोई आपत्ति प्राप्त न हुई तो यह समझा जायेगा कि उक्त व्यक्ति की मृत्यु बारे किसी को कोई एतराज न है तथा इन्हें ग्राम पंचायत अभिलेख में दर्ज करने बारे आगामी आदेश पारित कर दिये जायेंगे।

आज दिनांक 6-3-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित /—
उप-मण्डल दण्डाधिकारी सदर,
जिला बिलासपुर (हि0 प्र0)।

ब अदालत उप-मण्डल दण्डाधिकारी सदर, जिला बिलासपुर (हि0 प्र0)

श्री गुरवचन सिंह पुत्र श्री निकू राम, निवासी दवट, तहसील नैणा देवी, जिला बिलासपुर (हि0 प्र0) . . प्रार्थी।

बनाम

सचिव, ग्राम पंचायत मंजारी, तहसील नैणा देवी, जिला बिलासपुर (हि0 प्र0)

नोटिस बनाम आम जनता।

श्री गुरवचन सिंह पुत्र श्री निकू राम, निवासी दवट, तहसील नैणा देवी, जिला बिलासपुर (हि0 प्र0) ने इस न्यायालय में एक आवेदन-पत्र अधीन धारा 13 (3) जन्म एवं मृत्यु अधिनियम, 1969 के अन्तर्गत दायर किया है, जिसमें उसने अनुरोध किया कि उसके चाचा की मृत्यु तिथि ग्राम पंचायत अभिलेख में दर्ज नहीं है जिसे अब दर्ज किया जाये।

क्र0 संख्या	चाचा का नाम	मृत्यु तिथि
1.	छोटू राम (उर्फ गंगा राम)	6-5-1988

अतः सर्वसाधारण जनता को सूचित किया जाता है कि यदि उपरोक्त वर्णित चाचा की मृत्यु तिथि ग्राम पंचायत अभिलेख में दर्ज करने में कोई आपत्ति हो तो वह दिनांक 29-4-2009 को सुबह 10.00 बजे न्यायालय में स्वयं उपस्थित होकर प्रस्तुत कर सकता है। यदि उक्त मृत्यु के बारे में कोई आपत्ति प्राप्त न हुई तो यह समझा जायेगा कि उक्त व्यक्ति की मृत्यु बारे किसी को कोई एतराज न है तथा इन्हें ग्राम पंचायत अभिलेख में दर्ज करने बारे आगामी आदेश पारित कर दिये जायेंगे।

आज दिनांक 16-3-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित /—
उप-मण्डल दण्डाधिकारी सदर,
जिला बिलासपुर, (हि0 प्र0)।

ब अदालत श्री बिनय सिंह (हि0प्र0से0), उप-मण्डल दण्डाधिकारी सदर, जिला बिलासपुर (हि0 प्र0)

श्री संजीव कुमार सुपुत्र श्री मुन्शी राम, निवासी मझेडवां, तहसील घुमारवीं, जिला बिलासपुर, (हि0 प्र0)।

बनाम

आम जनता

प्रार्थना-पत्र बराए दुरुस्ती बारे।

श्री संजीव कुमार सुपुत्र श्री मुन्शी राम, निवासी मझेडवां, तहसील घुमारवीं, जिला बिलासपुर, (हि0 प्र0) ने इस न्यायालय में ब्यान हल्फी सहित प्रार्थना-पत्र दिया है। उसकी पत्नी ने जिला अस्पताल बिलासपुर में दिनांक 15-11-2008 को एक लड़के को जन्म दिया उस समय लड़के का नाम सक्षम भारद्वाज लिखवाया है। लेकिन जब कार्यकारी अधिकारी नगर परिषद् बिलासपुर से प्रमाण-पत्र

लिया तो वहां पर लड़के का नाम अक्षम भारद्वाज दर्ज है जो गलत दर्ज है आवेदक सही नाम समक्ष भारद्वाज कार्यकारी अधिकारी नगर परिषद् बिलासपुर के रिकार्ड में दर्ज करवाना चाहता है।

अतः आम जनता व सम्बन्धित रिश्तेदारों को इस अदालती इशतहार द्वारा सूचित किया जाता है कि अगर उपरोक्त बारे किसी को कोई एतराज हो तो वह दिनांक 29-4-2009 को प्रातः 10.00 बजे या इससे पहले अपने उजर या एतराज अधोहस्ताक्षरी के न्यायालय में असालतन या वकालतन पेश कर सकता है। मियाद गुजरने के बाद कोई भी उजर या एतराज काबिले समायत न होगा।

आज दिनांक 16-3-2009 को मेरे हस्ताक्षर व मोहर न्यायालय द्वारा जारी हुआ।

मोहर।

बिनय सिंह,
उप-मण्डल दण्डाधिकारी सदर,
जिला बिलासपुर (हि0 प्र0)।

ब अदालत श्री बिनय सिंह (हि0प्र0से0), उप-मण्डल दण्डाधिकारी सदर, जिला बिलासपुर (हि0 प्र0)

श्री नरेन्द्र शर्मा सुपुत्र श्री शाली ग्राम, निवासी माकड़ी मारकण्ड, तहसील सदर, जिला बिलासपुर (हि0 प्र0)।

बनाम

आम जनता

प्रार्थना-पत्र बराए दुरुस्ती बारे।

श्री नरेन्द्र शर्मा सुपुत्र श्री शाली ग्राम, निवासी माकड़ी मारकण्ड, तहसील सदर, जिला बिलासपुर (हि0 प्र0) ने इस न्यायालय में ब्यान हल्फी सहित प्रार्थना-पत्र दिया है कि उसकी लड़की का जन्म जिला अस्पताल बिलासपुर में हुआ है। उस समय लड़की का नाम श्री जैल लिखवाया है। लेकिन जब कार्यकारी अधिकारी नगर परिषद् बिलासपुर से प्रमाण-पत्र लिया तो वहां पर नाम नारता दर्ज है जो गलत दर्ज है। आवेदक सही नाम श्रीजैल कार्यकारी अधिकारी नगर परिषद् बिलासपुर के रिकार्ड में दर्ज करवाना चाहता है।

अतः आम जनता व सम्बन्धित रिश्तेदारों को इस अदालती इशतहार द्वारा सूचित किया जाता है कि अगर उपरोक्त बारे किसी को कोई एतराज हो तो वह दिनांक 18-4-2009 को प्रातः 10.00 बजे या इससे पहले अपने उजर या एतराज अधोहस्ताक्षरी के न्यायालय में असालतन या वकालतन पेश कर सकता है। मियाद गुजरने के बाद कोई भी उजर या एतराज काबिले समायत न होगा।

आज दिनांक 10-3-2009 को मेरे हस्ताक्षर व मोहर न्यायालय द्वारा जारी हुआ।

मोहर।

बिनय सिंह,
उप-मण्डल दण्डाधिकारी सदर,
जिला बिलासपुर (हि0 प्र0)।

ब अदालत श्री रोहित जमवाल, मैरिज आफिसर एवं उप-मण्डल दण्डाधिकारी भोरंज, जिला हमीरपुर (हि० प्र०)

श्री पूर्ण चन्द पुत्र श्री सन्त राम, गांव वाहनवीं, डाकघर वाहनवीं, तहसील भोरंज, जिला हमीरपुर (हि० प्र०)।

श्रीमती सन्तोष कुमारी पुत्री श्री चमन लाल, गांव वकारटा, डाकघर रखोह, तहसील सरकाघाट, जिला मण्डी (हि० प्र०)।

बनाम

आम जनता

प्रार्थना—पत्र अधीन धारा 16 आफ स्पेशल मैरिज एक्ट, 1954 के अन्तर्गत शादी पंजीकरण करने बारे।

उपरोक्त मुकद्दमा में श्री पूर्ण चन्द व सन्तोष कुमारी ने दिनांक 8-3-2009 को हिन्दू रीति-रिवाज के अनुसार अवाह देवी मन्दिर में शादी कर ली है जिसे स्पेशल मैरिज एक्ट, 1954 के अन्तर्गत पंजीकृत किया जाना है।

अतः आम जनता एवं उनके रिश्तेदारों को इस इशतहार द्वारा को सूचित किया जाता है कि उक्त शादी पंजीकरण करने बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 21-4-2009 को सुबह 10.00 बजे या इससे पहले असालतन या वकालतन हाजिर अदालत में होकर पेश करें अन्यथा शादी पंजीकृत करने बारे आगामी कार्यवाही अमल में लाई जाएगी।

आज दिनांक 27-3-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

रोहित जमवाल,
मैरिज आफिसर एवं उप-मण्डल दण्डाधिकारी,
भोरंज, जिला हमीरपुर (हि० प्र०)।

**In the Court of Shri Pankaj Rai, HPAS Marriage Officer-cum-Sub-Divisional
Magistrate Hamirpur, District Hamirpur**

In the matter of :

1. Shri Mohinder Singh aged 28 years s/o Shri Amar Nath, r/o Village Dalchera, P. O. Nain, Tehsil Barsar, District Hamirpur (H. P.).

2. Sunita Kumari aged 25 years d/o Shri Ramesh Chand, r/o Village Badein, P. O. Karot, Tehsil Sujampur, District Hamirpur (H. P.) . . Applicants.

Versus

General Public

Subject.—Proclamation for the registration of Marriage under section 3 of Special Marriage Act, 1954.

Shri Mohinder Singh & Sunita Kumari have filed an application alongwith affidavits in the court of undersigned under section 16 of Special Marriage Act, 1954 that they have solemnized their marriage on 12-9-2007 at Village Badein, Tehsil Sujampur & District

Hamirpur, Himachal Pradesh and they are living as husband and wife since then, hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court on or before 28-4-2009. The objection received after 28-4-2009 will not entertained and marriage will be registered accordingly.

Issued today on 28-3-2009 under my hand and seal of the court.

Seal.

PANKAJ RAI,
*Marriage Officer-cum-Sub-Divisional,
Magistrate Hamirpur, District Hamirpur (H. P.).*

**In the Court of Shri Pankaj Rai, HPAS Marriage Officer-cum-Sub-Divisional
Magistrate Hamirpur, District Hamirpur**

In the matter of :

1. Shri Joginder Kumar age 27 years s/o Shri Hari Ram, r/o Village & P. O. Bhoranj, Tehsil Bhoranj & District Hamirpur (H. P.).

2. Smt. Seema Kumari age 24 years d/o Shri Longu Ram, r/o Village Sapahal, Tappa Sapahal, Tehsil Sujanpur, District Hamirpur (H. P.) . . Applicants.

Versus

General Public

Subject.—Proclamation for the registration of Marriage under section 3 of Special Marriage Act, 1954.

Shri Joginder Kumar & Seema Kumari have filed an application alongwith affidavits in the court of undersigned under section 16 of Special Marriage Act, 1954 that they have solemnized their marriage on 25-12-2007 at Village Ladraur, Tehsil Bhoranj & District Hamirpur, Himachal Pradesh and they are living as husband and wife since then, hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage can file the objection personally or in writing before this court on or before 27-4-2009. The objection received after 27-4-2009 will not entertained and marriage will be registered accordingly.

Issued today on 27-3-2009 under my hand and seal of the court.

Seal.

PANKAJ RAI,
*Marriage Officer-cum-Sub-Divisional,
Magistrate Hamirpur, District Hamirpur (H. P.).*

ब अदालत तहसीलदार एवं कार्यकारी दण्डाधिकारी नूरपुर, जिला कांगड़ा (हि0 प्र0)

उनवान मुकद्दमा :

श्री कुलदीप सिंह पुत्र श्री केसर सिंह, महाल टिपरो, डाकघर लौदवां, ग्राम पंचायत लौदवां, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) . . सायल।

बनाम

आम जनता

. . प्रतिवादीगण।

विषय.—प्रार्थना—पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत प्रार्थी के पुत्र की जन्म तिथि 18-12-1991 पंजीकरण बारे।

उपरोक्त मुकद्दमा में प्रार्थी श्री कुलदीप सिंह पुत्र श्री केसर सिंह ने दिनांक 16-1-2009 को इस अदालत में प्रार्थना—पत्र मय हल्फीया ब्यान पेश करते हुए निवेदन किया है कि उसके पुत्र सूरज का जन्म 18-12-1991 को हुआ था परन्तु अज्ञानता के कारण वह पंचायत रिकार्ड लौदवां में जन्म तिथि पंजीकरण न करवा सके अब उसने अपने पुत्र की जन्म तिथि 18-12-1991 को पंजीकरण बारे आवेदन किया है।

अतः आम जनता व हर आम व खास को इस अदालत इश्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त जन्म तिथि 18-12-1991 ग्राम पंचायत लौदवां में पंजीकरण बारे कोई आपत्ति हो तो वह दिनांक 21-4-2009 को सुबह 10.00 बजे उपस्थित न्यायालय होकर पेश कर सकता है। अन्यथा यह समझा जाएगा कि किसी व्यक्ति को जन्म पंजीकरण बारे कोई एतराज नहीं है और जन्म तिथि पंजीकरण के आदेश दे दिये जाएंगे।

आज दिनांक 26-2-2009 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—

तहसीलदार एवं कार्यकारी दण्डाधिकारी,
नूरपुर, जिला कांगड़ा (हि0 प्र0)।

सिंचाई एवं जन स्वास्थ्य विभाग

अधिसूचनाएं

शिमला-171002, 30 मार्च, 2009

संख्या सिंचाई 11-10/2009-कांगड़ा.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को अपने व्यय पर सार्वजनिक प्रयोजन के लिए नामतः महाल डूहगी मौजा चलवाड़ा तहसील ज्वाली, जिला कांगड़ा में मध्यम सिंचाई परियोजना सिद्धाथा के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इस से सम्बन्धित हैं, या हो सकते हैं, की जानकारी के लिए भूमि-अर्जन अधिनियम, 1894 की धारा-4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमतः सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. अत्याधिक आवश्यकता को दृष्टि में रखते हुये राज्यपाल उक्त अधिनियम की धारा-17 की उपधारा-(4) के अधीन यह भी निर्देश देते हैं कि उक्त अधिनियम की धारा-5 ए के उपबन्ध इस मामले में लागू नहीं होंगे।

विस्तृत विवरणी

जिला	तहसील	मौजा / महाल	खसरा नम्बर	क्षेत्र (हेक्टर मीटर)
कांगड़ा	ज्वाली	चलवाड़ा / डूहगी	259/1	0-14-38
			194/1	0-11-79
			197/1	0-05-57
			196/1	0-02-96
			189/1	0-06-02
			186/1	0-10-35
			188/1	0-07-51
			184/1	0-03-60
			37/1	0-09-88
			32/1	0-17-91
			60/1	0-12-18
			71/1	0-02-97
			78/1	0-25-33
			87/1	0-06-33
			136/1	0-05-08
			137/1	0-07-75
			138/1	0-12-01
			36	0-02-52

शिमला-171002, 27 मार्च, 2009

संख्या सिंचाई 11-20/2007-सिरमौर.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन के लिए नामतः डिन्गर किन्नर, तहसील पच्छाद, जिला सिरमौर में उठाऊ पेयजल योजना के निर्माण हेतु भूमि ली जानी अपेक्षित है, अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विस्तृत विवरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है ।

2. भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों की सूचना के लिए घोषणा की जाती है तथा उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन समाहर्ता, भू-अर्जन हिमाचल प्रदेश लोक निर्माण विभाग शिमला, जिला शिमला को उक्त भूमि के अर्जन के लिए आदेश लेने का एतद्वारा निदेश दिया जाता है ।

3. भूमि का रेखांक, समाहर्ता, भू-अर्जन लोक निर्माण विभाग शिमला, हिमाचल प्रदेश के कार्यालय में निरीक्षण किया जा सकता है ।

विस्तृत विवरणी

जिला	तहसील	गांव	खसरा नम्बर	क्षेत्र/बिघा-बिस्वा में
सिरमौर	पच्छाद	डिन्गर किन्नर	379/1	0-2

शिमला-171002, 23 मार्च, 2009

संख्या सिंचाई 11-4/2008-शिमला.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन के लिए नामतः गांव चलौटी तहसील शिमला शहर, जिला शिमला में उठाऊ पेयजल योजना गिरी खड्ड से शिमला शहर के निर्माण हेतु भूमि ली जानी

अपेक्षित है, अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विस्तृत विवरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह घोषणा भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों की सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन समाहर्ता, भू-अर्जन हिमाचल प्रदेश लोक निर्माण विभाग शिमला, जिला शिमला, को उक्त भूमि के अर्जन के आदेश लेने का एतद्वारा निदेश दिया जाता है।

3. इसके अतिरिक्त उक्त अधिनियम की धारा-17 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश के राज्यपाल यह निर्देश देते हैं कि अत्यावश्यक मामला होने के कारण समाहर्ता, भू-अर्जन हिमाचल प्रदेश लोक निर्माण विभाग शिमला, जिला शिमला, को उक्त अधिनियम की धारा (9) की उप धारा (1) के अधीन सूचना के प्रकाशन से 15 दिन के अवधि समाप्त होने पर पंचाट देने से पूर्व भूमि का कब्जा ले सकता है।

4. भूमि का रेखांक, समाहर्ता, भू-अर्जन लोक निर्माण विभाग शिमला, हिमाचल प्रदेश के कार्यालय में निरीक्षण किया जा सकता है।

विस्तृत विवरणी

जिला	तहसील	मौजा/महाल	खसरा नम्बर	क्षेत्र (हेक्टर मीटर)
शिमला	शिमला शहर	चर्लाटी	504/1	93-00
			516/1/1	03-00
			323/1	24-00
			किता-3	120-00 वर्ग मी०

शिमला-171002, 30 मार्च, 2009

संख्या सिंचाई 11-95/2008-सोलन.—यतः राज्यपाल हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामतः गांव पट्टा, तहसील कसौली, जिला सोलन में उठाऊ पेयजल योजना बुधार कनैता/गुजरां के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इस से सम्बन्धित हैं, या हो सकते हैं, की जानकारी के लिए भूमि अर्जन अधिनियम, 1894 की धारा-4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमतः सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितबद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, शिमला-3 हिमाचल प्रदेश लोक निर्माण विभाग के समक्ष अपनी आपत्ति दायर कर सकता है।

विस्तृत विवरणी

जिला	तहसील	गांव	खसरा नं०	क्षेत्र बिघा-बिस्वा
सोलन	कसौली	पट्टा	38	9-11

शुद्धि पत्र

संख्या सिचाई 11-87/2008-मण्डी.—इस विभाग की अधिसूचना समसंख्यक दिनांक 24-02-2009 जोकि भूमि अर्जन अधिनियम, 1894 की धारा-4 के अन्तर्गत गांव भरतवाणू/9 बल्ह घाटी मध्यम् सिंचाई परियोजना (वामतट्ट) तहसील सुन्दरनगर, जिला मण्डी के निर्माण हेतु भूमि अर्जित करने के लिए जारी की गई है, में निम्नलिखित शुद्धियां की जाती हैं :—

“अधिसूचना के पृष्ठ-1 (पैरा-4 में भू-अर्जन समाहर्ता, मण्डी हिमाचल प्रदेश लोक निर्माण विभाग के स्थान पर भू-अर्जन अधिकारी एवं उ0म0अ0 (नागरिक) सदर जिला मण्डी हिमाचल प्रदेश पढ़ा जाए।

इसी अधिसूचना के पृष्ठ-20 (क्रम संख्या-5 पर अधिशाषी अभियन्ता (सिंचाई एवं जन स्वास्थ्य) मण्डल पधर के स्थान पर वग्वी पढ़ा जाए तथा क्रम संख्या-6 पर भू-अर्जन अधिकारी, मण्डी हिमाचल प्रदेश लोक निर्माण विभाग के स्थान पर भू-अर्जन अधिकारी एवं उ0म0अ0 (नागरिक) सदर जिला मण्डी हिमाचल प्रदेश पढ़ा जाए।”

आदेश द्वारा,
हस्ताक्षरित/—
प्रधान सचिव।